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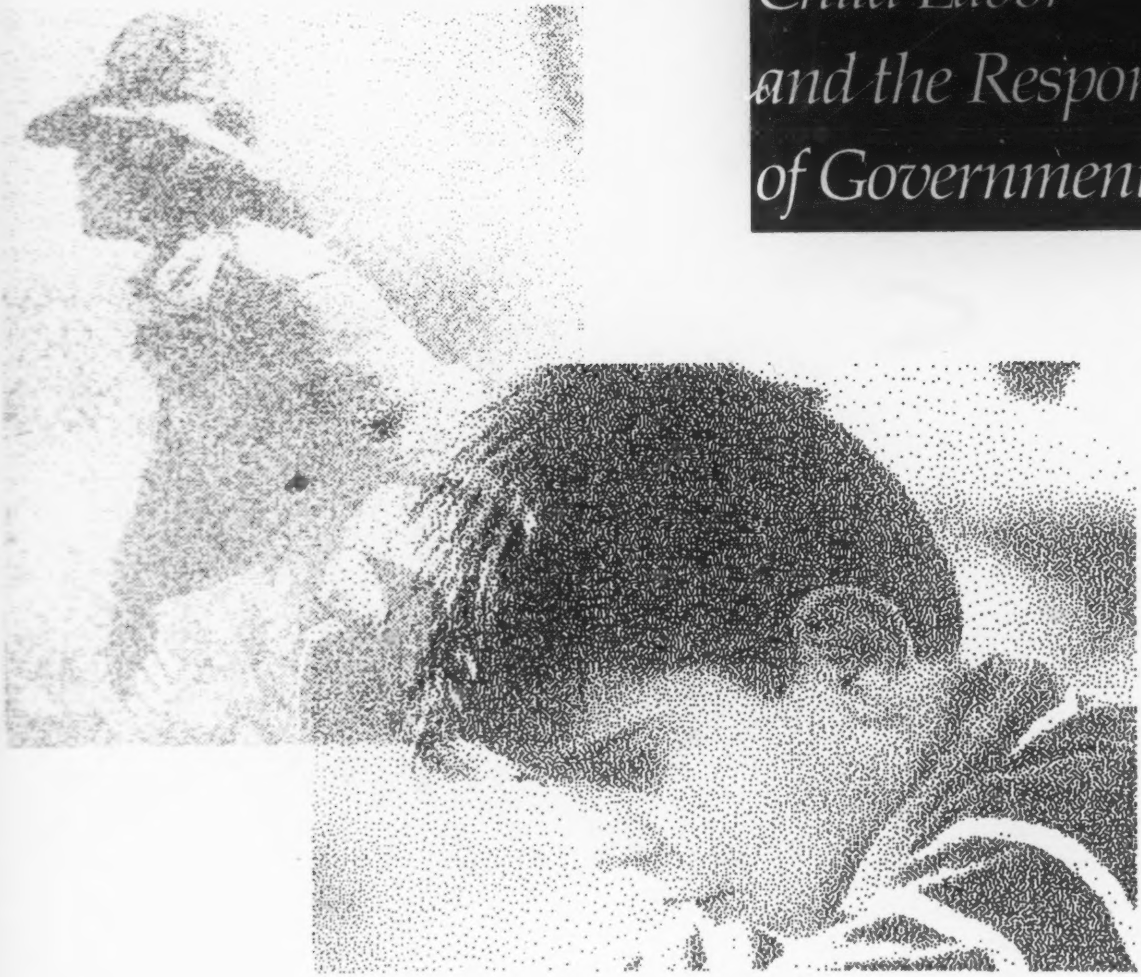
Sacrificing America's Youth

The Problem of Child Labor and the Response of Government



By the staff of the . . .

National Safe Workplace Institute

Published on Labor Day, September 7, 1992.

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National Safe Workplace Institute

© National Safe Workplace Institute
122 South Michigan Aveue, Suite 1450
Chicago. Illinois 60603
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Staff

Professionals who researched and wrote this report include Keith Chambers, Kathleen Hanviriyapunt, Robert Hanviriyapunt, and Amita Vasudeva, all staff members, as well as Joseph A. Kinney, Executive Director.

Jan Parr provided editing services.

Diana Rigas prepared the design and layout.

A number of Federal and state officials, researchers, and others made important contributions to this report.

Thomas H. Geoghegan, Esq., was Lead Director for this project.

Preface

In a famous essay, "A Modest Proposal," Jonathan Swift proposed a way to solve the problem of famine in Ireland: namely, to devour the children. As the U.S. economy continues to stall or decline, we have turned more and more to child labor, both "legal" and "illegal," to shore up the living standard of the American family. In the 1970s and 1980s, American women entered the workforce by the tens of millions. The percentage of married women in the workforce went from 42 percent in 1973 to 59 percent in 1991. There was an explosion of two-income households. but the median family income sill hardly budged. Now with so many women already in the workforce, what can we do to keep family income from eroding?

The Federal government in the 1980s and early 1990s has proposed to "deregulate" child labor even further, and loosen up the restrictions on 14-and 15-year-olds. Is this the only way to bail out the American family? To push children sooner into unlimited, numbing hours of fast-food employment? Take them away from learning calculus, languages, sciences? Have a rob-the-cradle economy, that cheats children of a real education and perpetuates an economy of low wages and low skills?

It is foolish, and blind for us, as the so-called "adults," to think that children are in control and can cope with this situation. Children, seeking jobs at McDonald's and Burger King, et al., have limited control over the hours they work. As more children seek "part-time" employment, it is more and more a "buyer's market."

Once, in the 1930s and 1940s, children who were trapped in long after-school employment, or who needed money, could cope with the pressure by dropping out of school. In a world of steel mills and factories, it was not economic suicide, necessarily, back then to drop out of school.

But in the 1990s, children do not have that choice: as an economic necessity, they have to stay in school. They know it. Yet many of them have to work too. They have no control over their hours. Imagine a schedule of 32 hours of school, plus homework, plus 30 to 50 hours of outside work! This could create, for a child, a severe and quite inhumane level of emotional distress: which can lead often to failing grades, substance abuse, or worse consequences.

Meanwhile, in the schools, the subjects studied are more technical and rigorous than in the past. Academic pressue is great. And every night, in every major American city, hundreds of thousands of children are flipping burgers or working in 24-hour supermarkets. While we, the adults sleep, they work away, like little elves, all over the city.

The child-labor question is not one that we should let the children decide. They are children. They are young, often confused, often under enormous pressure. No, the question is one for us, as the adults, to decide instead.

Rather than deregulate child labor even further it is time for us, the elders, to respond as morally responsible adults and citizens. Child labor, along with "TB," sweatshops, and many other antique ills, is back on our policy agenda. We cannot solve our economic problems by devouring our young.

Thomas H. Geoghegan Stephen M. Hessl Matthew J. Piers

Highlights from: Sacrificing America's Youth

About This Report

This report is the first comprehensive analysis of child labor and government responsiveness undertaken in the U.S. in the past decade. It is based on interviews, surveys, and questionnaires of officials in all 50 states, extensive library research, and reviews of legal, demographic, economic, public health, and other literature.

From Chapter 2

- There are 5.5 million working children—ages 12-17—in the U.S. About 676,000 work in the underground economy largely unregulated by the government.

- The average 15-year-old works 17 hours a week; the average 16- and 17-year-old works 21 hours a week. These work hours are in addition to a 32.5-hour school week. White children are twice as likely as black and Latino children to be employed.

- As a society, we have yet to fully appreciate the adverse effect of child labor on the educational prospects of young people and on the future competitiveness of the U.S. Adults have yet to fully understand how work is remarkably different for their children than from the jobs they experienced as young people. Nor do they appreciate the reality that jobs in the 1990s and beyond require much more education than in the past.

From Chapter 3

- There were an estimated 139 job-related deaths of working children in 1990. About a third of deaths were in farm-related accidents.

- There were an estimated 71,660 job-related injuries to working children in 1990. There are more injuries in the restaurant industry than from any other industry. Many injuries in the restaurant industry could be prevented by the use of protective gloves and slip-resistant shoes.

- Abusive employment practices can contribute to psychological problems including substance abuse, distress, depression, fatigue, insomnia, poor work-orientation, and other developmental dysfunctions.

From Chapter 4

- There are 841 Federal inspectors who enforce 12 laws. Just 11 percent of the time —less according to some experts— of these investigators is spent on child labor. At present the Federal government has the equivalent of 93 child labor inspectors regulating about two million businesses. By comparison, there are more than 12,000 federal and state fish and game inspectors.

- An establishment that employs adolescents can anticipate a Federal inspection once every 50 years.

- In fiscal year 1992, the Federal government will receive less in child labor penalties than it did in FY 1991, even though Congress has provided the Federal government with the authority to increase fines ten-fold. Typically, child labor fines are reduced by about 40 percent. A "sweep" conducted this spring missed 11 states. Many of those 11 states have very weak child labor programs.

- In 1990, a major migrant-labor reform proposed by then Secretary of Labor Elizabeth Dole, was killed by the White House. The proposed reforms, described in detail in a document leaked to the National Safe Workplace Institute, would have saved the lives of migrant children, improved field sanitation and living conditions, and reduced exposures of children to pesticides and toxic farm chemicals.

- At present, the Department of Labor is readying plans to loosen child labor regulations on 14- and 15-year-olds. According to documents leaked to the Institute, the proposals would be published on October 28, 1992, in the Federal Register, shortly before the 1992 elections.

From Chapter 5

- Most states have very weak child labor programs. Pressured by industry groups, four states (Colorado, Kansas, Maryland, and Mississippi) have abandoned child labor programs and several other states have experienced reduced capacity. The National Safe Workplace Institute awarded only one A- (to Wisconsin), one B+, one B, and one B- (to New York, California, and Indiana, respectively). Six states received marks in the C range, 20 received marks in the D range, and the remainder received failing marks.

- States were evaluated on the following issues: Work Permits, Health and Hours Restrictions and Compliance Capacity. States received extra credit for unique initiatives.

- Injury-reporting requirements in states are especially weak. Current requirements fail to provide useful and timely information to regulators or public-health authorities.

- Industry groups, led by the fast-food industry, are waging a lobbying campaign to weaken child labor programs. This effort is designed to ensure that the industry has an unfettered supply of children working at the lowest possible cost. Industry groups are fighting reforms in a number of states, relying on political clout buttressed by subtle public-affairs and public-relations strategies. The industry argues that child labor is a "family" issue left to be resolved by parents and children, with no involvement by schools or government officials.

From Chapter 6

- There are many steps that parents, children, and educators—if properly informed—can take to mitigate the problems of adolescent employment. Two steps are implementing suggested agreements: (1) between student-workers and their employers and (2) between schools and employers designed to maximize skill development and learning. Unfortunately, most parents remain uninformed about abusive employment practices.

From Chapter 7

- At the Federal level, there is a pressing need for debate on child labor reforms. Legislation introduced in the House and Senate, has been stalled by industry lobbyists. Because of the demands that work places on the lives of teenagers (third only to sleep and school), other Federal agencies—notably the Departments of Education and Health and Human Resources—need to be involved in youth employment.

- State governments need to strengthen enforcement and compliance strategies, enhance Work Permit programs and procedures, and extend coverage to 16- and 17-year-olds.

- Steps can be taken to provide minority children—who lack employment opportunities—with jobs in labor-short suburban areas. Such jobs should be linked with educational requirements.

- Industry leaders should take a "no drop-out" hire pledge to remove the attraction that many low-skill, low-wage, service-sector jobs have for marginal teenagers. Exceptions may be made in extreme circumstances.

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Chapter 1: Introduction

What is the Child Labor Problem in the United States?

This report is about the nation's most precious resource, children. It reveals that our children are being injured, maimed and killed in alarming numbers.

To compound the problem of physical harm is the increasing evidence that work too often harms young people's mental health and development. Not only are children—the precious resource that politicians relish discussing being damaged, but our investments in public instruction and development are being diminished.

The role of work in the lives of our children is an issue that has been long neglected. In the U.S., workers, especially children, have always been expendable. As a society, we have allowed ourselves to think that work, almost any work, is a positive influence in the lives of young people. The troubles that mark the lives of many young people—drugs, gangs, pregnancy, among many others—seem more serious than employment practices. But make no mistake about it: work has an adverse effect in the lives of many, as this report will reveal.

The demand for labor– particularly to fill late-night shifts–has resulted in some high-school students working 40 hours per week or more.

This report has the following general objectives:

- To trace the evolving and increasingly harmful role of work in the lives of teenagers to understand the subtle but consequential changes that have taken place, often at a cost to education.
- To examine the response of public institutions—the U.S. Department of Labor and the educational system—in responding to issues involving child labor.
- To examine possible changes—by both the public and private sectors—that can help students balance the role of work in their lives.

Millions of American children work. They work too many hours, too late at night, and often in unsafe workplaces. This problem has grown more acute in recent years as families struggle to make ends meet and as the lure of easy employment in the labor-short fast-food and service-sector industries has increased. Middle-class teenagers, especially those who live in labor-short suburban areas and smaller cities are particularly affected. The lure of fast-food bucks is less attractive for students from wealthy families, who typically do not work during the school year, or for students from poor families, who lack job opportunities. And then there are the traditional child labor abuses: children laboring on farms and in garment-industry sweat-shops. These more traditional abuses are patterns that have been well documented and long ignored. Farm-labor and sweat-shop abuses are most often experienced by children of immigrants and children from minority groups. America has turned its back on these children and the hell that marks their lives.

The reality of today's child labor markets is brutal for young people and their families. Teenagers, for various reasons, increasingly are being pushed into the labor market at an early age, often at the expense of educational performance, family, and community life. The service-sector warrants greatest attention because of the number of teenagers that it employs and the late hours that many establishments—especially fast-food outlets—are open. The demand for labor—particularly to fill late-night shifts—has resulted in some high-school students working 40 hours per week or more. According to the most important study on the subject, 16- and 17- year-olds who work average 21 hours per week.

The service sector is, of course, only one sector that abuses young people. Migrant children face the most horrendous living and working conditions in America.

There are many villains. Student-workers typically have no knowledge of the laws or their rights; parents, who are increasingly struggling to make ends meet, generally don't recognize problems that may stem from work demands. The average manufacturing wage in the U.S. in real terms (adjusted for inflation), has steadily declined during the past decade. Families have been forced to muddle through and to accommodate by increasing the number of family members who work. Meanwhile, employers have little incentive to comply with the law because of the dreadfully weak enforcement capabilities and practices of child labor inspectors. Likewise, schools have been increasingly aware of this problem, yet have failed to take even the most simple steps to address it. We all are to blame for this situation and all must play a constructive role in responding.

The service-sector is, of course, only one sector that abuses young people. Migrant children face the most horrendous living and working conditions in America. Migrant and other farm children are exposed to dangerous machinery and toxic pesticides. Migrant children lack access to field sanitation; their parents do not have access to child-care services or decent living conditions. Agribusiness joins the garment industry in its abusive conduct toward working children. The garment industry preys on the children of immigrants, families who have often come to the U.S. in order to escape desperate economic circumstances.

The role of work in the lives of teenagers is an under-addressed issue and will only grow more serious as the demand for young workers increases while the supply remains relatively stable. There is now a window of opportunity to catapult this neglected issue onto the national agenda. In recent years, America has spent millions on educational reform and remedial education. There is a growing consensus for change to improve educational opportunities for America's young people. The need for a more educated and skilled work force to fill America's new entry-level jobs in the 1990s and for the next decade requires action. If we are to meet this challenge, we must begin the process to reform our approach on child labor and abusive youth-employment practices.

Chapter 2: From the Garment Districts to the Melon Patches

The Geography of Child Labor in the United States

Society has failed to appreciate the unique circumstances that face the present generation of teenaged student workers.

Without question, the economic circumstances that many middle-class American families found themselves in during the 1980s have compelled teenage members to accept jobs that might not have been considered in previous years. Likewise, the work experience itself—especially in the service-sector—has changed in ways that are benign on the surface, but are quite possibly destructive. Moreover, child labor regulators and the schools, the two public institutions charged with protecting the welfare of children, have not fully appreciated the magnitude of their responsibilities as we head into the 1990s.

Ignorance blinds rational discussion of the contemporary child labor experience and its adverse effects on student-workers, especially those who work in the service-sector. That ignorance, of course, serves to perpetuate the problem as children unwittingly accept employment prospects that may diminish their capacity in ways that are felt for decades. This is especially true since the late-night employment associated with the rapidly growing service-sector reduces precious study time for academic work, especially in math and science, which compose the intellectual foundation for engineering, computer science, and many of the highly skilled jobs that are essential to America's future.

There are 20 million children between the ages of 12 and 17 in the U.S. It is likely that about 5.5 million of those children work.

Any examination of work in the lives of children must consider the tragic circumstances and experiences of young children in the garment district and melon patches of America. Farms are inherently dangerous places. Investigators believe that as many as 300 young people are killed each year on farms; tens of thousands more are maimed or severely injured.[1] Farm accidents are geographically dispersed across the U.S. and involve both children and other family members. While it is difficult to make distinctions between work-related and non-work-related farm accidents, there is no question that scores of young children, often younger than ten, are killed in farm accidents each year. Just as tragically, thousands of children are exposed to pesticides and toxic farm chemicals. Because it takes many years for the adverse effects to appear, it is likely that the toxic abuse unwittingly imposed on children—often by their own parents—will take a deadly toll for decades to come.

Likewise, the abuse of the garment districts is severe. The garment industry offers employment to America's immigrants, individuals who come with a dream of a better life but little or no knowledge of labor laws. For them, the abuses they suffer in America's garment districts are routinely accepted in their home nations. Children are often found in cramped and horrendous conditions, sewing and stitching the nation's clothes typically for less than the minimum wage. New York State has established a special task force that battles on a daily basis to police its garment district. Unfortunately, other state governments are far less attentive to garment employers in their large urban centers.

How Many Children Work in America?

There are 20 million children between the ages of 12 and 17 in the U.S. (see Table 2-1). It is likely that about 5.5 million of those children work. It is difficult to estimate the number of children under 14 who work because these children are working illegally or in the informal cash economy. An estimated 676,245 children aged 12 and 13 work. These figures do not include the very young, beginning with migrant children in farms in California, Florida, Texas, and in other parts of the nation.[2] In some cases, there are simply no other alternatives (such as available day care) to these children working with their parents.

TABLE 2-1
Number of children, by age, in the U.S.

Age	Number		Likely Number That Work
12 and 13	6,762,450		676,245*
14	3,243,107		486,466**
15	3,321,609		930,050***
16	3,304,890		1,685,494***
17	3,410,062		1,739,132***
Total U.S. children, aged 12-17 years:	20,042,118	Total number of children who likely work:	5,517,387

*The National Safe Workplace Institute estimates that 10% of all children 12 and 13 years of age work.
**It is estimated that 15% of 14 year-olds work.
***See Table 2-2 below.
Note: All data by age are from the 1990 Census of Population in the United States.

What the Government Says

These statistics vary somewhat with what is reported by the Bureau of Labor Statistics (BLS). According to the BLS, 5,628,000 children aged 16-19 are employed out of a population of 13,376,000. Unfortunately, the BLS has no estimates for working 14- and 15-year-olds and its data, as BLS professionals themselves admit, is dubious when it comes to agricultural and small employers. The BLS reported on January 17, 1992, the following information for 1991:

- 42.1% of 16-19 year-olds were employed in the civilian labor markets (down from 45.2% in 1990);
- 18.6% of 16-19 year-olds were unemployed (up from 15.5%); and
- The average weekly hours worked for 16-19 year-olds was 24.6 hours (down from 25.7 in 1990).

On the other hand, according to an examination of working children by the General Accounting Office at least one of four 15-year-olds are employed (see Table 2-2).[3] The same study shows that more than half of 16- and 17-year-olds work. According to the GAO report, this group averaged 21 hours of employment per week. The GAO report's authors allow that their data may understate the number of young people who actually work.

How excessive is a 21-hour work load each month? On May 28, 1992, the Department of Education released a report claiming that excessive TV viewing was a major cause of educational problems in young people.[4] The Education study estimates that the typical child watches three hours of TV each day. This is about the same amount of time that the average student-worker is employed. However, data on teenage work does not include time spent in the commute to and from the job or the physical and mental stress in the work environment.

In examining child labor practices, we must not forget that those who work are almost always students. For these individuals, work is an added obligation. Moreover, the issue of work is not strictly a family issue, but a larger public issue because of the large public investments in education.

TABLE 2-2
Estimated work statistics for children in 1988

Of all 15-year-olds:
- More than 28 percent (919,000) worked
- Averaged 17 hours a week
- Duration of employment: 19 weeks a year

Of all 16- to 17-year-olds:
- More than 51 percent (3.5 million) worked
- Averaged 21 hours a week
- Duration of employment: 23 weeks a year

Source: U.S. General Accounting Office, 1991
Child Labor: Characteristics of Working Children (GAO/HRD-91-83BR)

Society has yet to come to grips with the penetrating changes that have re-shaped American families in the past decade. Parents, educators, industry, and government are largely oblivious to the impact of today's employment opportunities upon the lives of adolescents. Parents naturally think about their own youth-work experiences when considering employment options for their children, failing to recognize the many changes that have since taken place. Also, we have failed to realize that we are unique in the modern industrialized world in assuming that work is a positive experience for the young. This combination of parental and societal beliefs leads Americans to think that children can endure work without significantly adverse consequences.

The destructive quality of work in the lives of teenagers has not come as an intended consequence from any segment of society. Rather, this problem has been evolutionary. In earlier generations, much of the teenage work experience was seasonal (farm labor). It did not involve late-night hours, whereas the convenience sector has extended the commercial life of even small towns well after midnight. Previously, jobs were typically challenging (with diverse and varied job chores). They involved mentoring and supervision, whereas today's teenage workers in fast-food establishments are often supervised by other teenagers. Given these changes, researchers have suggested that today's work experience is of significantly lower quality than that of previous generations of student workers.[5]

Changing demographics will make the problems addressed in this report much more acute if left unmet. Yet the demand for teenage labor will increase as the service sector, especially the fast-food industry, continues to grow.[6] Teenagers, especially from middle-class families, are caught in a vice: the pressure of work forcing against the demands of school, family, and community. Many teenagers have difficulty coping with the circumstances they face, and the institutions that are designed to "help"—child labor regulators and the schools—are largely unaware of these new circumstances and the difficulties they pose for students during their crucial adolescent years.

A majority of teenagers are employed in the growing service sector—a sector that has become increasingly dependent on youth labor, particularly in regions with strong economies. In many families, economic pressures are so acute that children must work to support their families directly. In many other cases, children must work to replace revenue that is no longer available because of diminished earnings of primary breadwinners. This drop in income limits parents' ability to support real or imagined needs that shape the lives of the young: clothes, transportation, educational expenses, food, entertainment, etc. This situation is complicated by the fact that clever advertising[7] and peer-group pressure influence the perception of need and increase the pressure to earn more disposable income.

Meanwhile, employers are necessarily motivated by business concerns. All businesses must earn a profit to stay open, and for most businesses there is an imperative to find employees willing to work at the lowest possible cost. For too many businesses, especially those in the service-sector and even more so in the fast-food industry, this means hiring teenagers (and adult minorities). The documentation of abuses is pervasive and has been the subject of Congressional oversight hearings,[8] comprehensive regulatory and enforcement actions,[9] and Congressional legislation to increase child labor penalties.[10] Unless the situation is addressed as a serious public-policy problem, abuses will grow as the pool of available teenage labor declines and the service-sector enlarges. As we will soon see, the myths and realities of work are miles apart.

. . .

By the time a young person reaches 14, it is more than likely that he or she will have a job.

Robbing the Cradle: A Portrait of Young Workers

Work begins at an early age in the U.S. It is not uncommon to see Latino children as young as five—sometimes younger—helping their parents in America's fruit and vegetable patches of California's Central Valley, Texas' Rio Grande, or in the orange groves of Florida. In large cities, young children can be seen on street corners, especially during the rush hour, selling candy to office workers on their way home. Supposedly the candy is being sold to support their school's sports teams, though this is seldom the case.

Unfortunately, most adults are likely to look the other way when they see such youth employment abuses. Indeed, many adults deem such practices "cute" because they reflect on what they think is the industrious nature of young people. These adults view such abuses superficialy and don't appreciate the exploitation and economic desperation that motivates these practices.

Certain occupations for young children have been carefully exempted from child labor law protections. Examples include newspaper delivery and gardening, two types of jobs that are becoming scarce. Generally speaking, these jobs have adult supervision and involve long-established practices. However, a vast majority of jobs are in the underground economy where wages, often well below legal minimum wages, are paid in cash. See Table 2-3 below for a description of youth work experiences

TABLE 2-3
Established work patterns, by age, for child labor in the U.S., 1992

Age at which work is likely to take place	Type of work	Observations
5	*Farm labor piecework*	Family members Migrants
	Gum sales	Latino youth in urban Latino restaurants
7-8	*Candy sales* *Shoe shining*	Minority youth in large cities
11	Newspaper delivery* Caddying *Gardening, lawn mowing* *General farm labor*	
12-13	*Food service* *Cleaners*	Family members and other young people
	Home child care (baby-sitting)*	
14	Low-skilled jobs	Work usually permitted by law in low-hazard jobs

*Jobs that are typically exempted from child labor law protections.
Occupations in italics represents jobs that are likely to be in the underground economy.

By the time a young person reaches 14, it is more than likely that he or she will have a job. For the first time, young people receive checks and are part of the formal economy. Such jobs are often encouraged or, at worst, tolerated by adults who are culturally biased to believe that work experiences are positive.

Teenaged Workers in Contemporary America

In contemporary America, there are three groups of teenagers, each with corresponding employment opportunities. It is important to understand the particular problems each group has in balancing the pressures of work, school, family, and community. In understanding the realities of each group, we can begin to shape a rational discussion that will lead to enlightened choices. Each of the three groups is discussed below.

(1) **Teenagers whose circumstances compel them to work.**

These teenagers are from middle-class America. Their homes are under growing economic pressure. Millions of their parents experienced reduced income during the 1980s as they were increasingly forced to replace moderately well-paying jobs lost in white-collar or blue-collar union labor markets with low-paying service-sector jobs.[11] Moreover, a growing share of these families are headed by a single parent.[12] It is this group that produces the vast majority of student-workers in the service-sector of our economy. Employment opportunities for this group of student-workers exist largely in middle-class and wealthy parts of society.

(2) **Teenagers who would like to work but cannot because of a lack of local employment possibilities.**

The poorest segment of the teenage population faces considerable barriers to work. Young people who would appreciate work opportunities must often overcome racial and geographic barriers. Employment opportunities, almost by definition, do not exist in low-income neighborhoods. The obstacles that teenagers from low-income families must overcome to find work are formidable. With few exceptions, these teenagers are unlikely to have significant employment opportunities under the current circumstances.

(3) **Teenagers whose economic circumstances and social status make it unlikely that they will work as teenagers.**

Teenagers from the wealthiest segment of society are highly unlikely to take jobs, especially during the school year. In most instances, these individuals are college-bound and feel significant pressure to allocate their time and energy to academic preparation and extracurricular activities that will advance long-term goals. Throughout the 20th century, students from wealthy families have enjoyed clear advantages over their peers. If anything, the burdens placed on middle-class students who work, widen the competitive educational performance gap between wealthy and middle-class students.

There are, of course, exceptions. There are middle-class students who do not work, students from poor families who find and retain employment in spite of barriers, and students from wealthy families who, for whatever reason, take jobs. However, the patterns are unmistakable: the pressures on middle-class young people to work are acute and growing. These employment opportunities too often come at the expense of educational attainment, health, family life, and longer-term requirements for a society that faces increased global competition.

The U.S. General Accounting Office found that in general, middle and upper-middle class white teenagers are most likely to work (see Table 2-4 below).

TABLE 2-4
Family income and race of children who work

Annual family income	**Percent of 15 to 17 year-olds employed**
$ 20,000 or below	32
Above $ 60,000	54

Race	**Percent of 15 to 17 year-olds employed**
Whites	49.7
Blacks	27.9
Hispanics	27.6
Others	34.2

Source: U.S. General Accounting Office, 1991
Child Labor: Characteristics of Working Children (GAO/HRD-91-83BR)

The rest of this chapter will involve an examination of the changing economic realities of middle-class families, the explosive growth of the service-sector (especially the fast-food industry), and the myths that hinder a rational and productive discussion of the role of work in teenagers' lives.

Until the 1970s, middle-class American families had every reason to be optimistic. Real incomes continued to rise and prospects for a prosperous future were bright. Those prospects have been shattered by declining real incomes of primary breadwinners, especially in middle-class families. In the 1950s, 60s, and through most of the 70s, most primary breadwinners could expect to be making substantially more, by age 30, than their fathers made at the end of their careers.[13]

. . .

The cost of remedial instruction by industry alone now approaches $40 billion, an investment that otherwise could be spent on research and development to increase American competitiveness.

Not only has primary breadwinner income declined, but so has the nuclear family. The nuclear family that typified America until the 1970s is disappearing. In 1940, seven out of ten families were traditional, nuclear families where "Dad" was the exclusive breadwinner. Today, only about one out of five families relies exclusively on the primary male breadwinner's income. Many families are heavily dependent upon two incomes. Increasingly, households are maintained by women, who typically earn one-third less than their male counterparts.[14] For better or worse, the traditional structure that dominated American family life simply no longer exists.

. . .

Beyond the rapidly changing demographics lies the problematic effect of myths on society's attitudes toward teenage work. There are two myths that must be dispelled before we can develop a rational course of action to address this growing yet unappreciated problem.

Myth Number 1:
Educational reform – especially spending more money – can remedy the problems of educational performance

The reality is that the U.S. spends more, in real terms, on the education of young people than almost any major industrialized nation. Table 2-3 shows that the U.S. spends more than any nation but Switzerland, substantially more than Germany, and double that of Japan. The table below shows that without question, money alone is not the answer. Interestingly, the only nation listed in Table 2-5 in which teenage students are allowed to work (outside of agriculture) is the United States.

TABLE 2-5
Per pupil educational spending* by selected industrialized nations

Nation	Spending per student	Year
Switzerland	$3,683	1985
United States	$3,310	1985
West Germany	$2,253	1985
France	$1,996	1984
Britain	$1,897	1984
Japan	$1,805	1985

* Pre-kindergarten through 12th grade.
Source: U.S. Dept. of Education, based on OECD's 1985 Purchasing Power Parities Index.

In the 1950s and 1960s, student-workers were likely to be employed in small shops, in bakeries, at the local post office, or as a clerk in a factory. Those experiences were often accompanied by mentoring from a boss or experienced supervisor.

Communities across the U.S. are grappling with various educational reforms: decentralized school boards, magnet schools, parental choice, and many other strategies. But these reforms will not yield promised dividends unless private and public investment are protected in the important teenage years, the period when students learn higher mathematics and science and other skills that have so often been described as critical to America's future. Furthermore, the cost of remedial instruction by industry alone now approaches $40 billion,[15] an investment that otherwise could be spent on research and development to increase American competitiveness.

Myth Number 2:
Work was good for me, so it should be good for my child

Parents are inclined to believe that what was good for them must be good for their children. This feeling is reinforced when it comes to children working in the fast-food industry, a sector of the economy with a benign image. This is in spite of the fact that such employment can be deadly and frequently leads to substantial sleep loss and possibly adverse health effects. To a great extent, many of the problems associated with teenage employment in the fast-food industry are relatively new and have grown rapidly since the 1970s.

The work experiences of the current generation of teenagers and those of their parents differ significantly. In the 1950s and 1960s, student-workers were likely to be employed in small shops, in bakeries, at the local post office, or as a clerk in a factory. Those experiences were often accompanied by mentoring from a boss or experienced supervisor. Work tasks were often varied and almost never did the work involve late-night hours.

Today, the work experience is much different for the vast majority of teenagers who toil in the fast-food industry. It is not unusual for a supervisor to be 17. Virtually all the employees are even younger, creating a youth-dominated work environment. The tasks performed are highly routinized and unchallenging, as well as stressful, because a premium is placed on speed and appearance rather than on work quality. Likewise, many teenagers are compelled to work late hours, often past midnight. Without question, the work experience of the contemporary teenager is far different from that encountered by previous generations.

The issue of teenage work is complex, not subject to easy resolution. We must be thoughtful and fair in examining the issues that have been discussed in this chapter (and in later chapters of this report). Certainly there is a growing debate, led by chief executive officers of major corporations, urging a stronger focus on educational reforms that will provide today's youth with the technical skills that will make them more prepared for the world of work. Corporate leaders are particularly eager for schools to impart stronger mathematics, science, reading, and communication skills that are associated with technical subject matter. This is a narrow approach to the issue of work force preparedness. But such discussion can provide a context in which to discuss the problems of student-workers.

We desperately need an enlightened debate designed to help us consider the "type" of educational investment needed in our society. It makes no sense to spend massively on education only to see educational improvements negated by ineffective child labor policies. It would be shortsighted to depend upon the public sector alone to shape this debate and develop appropriate responses.

Notes:

1. This estimate has been made in various studies and comments by Prof. Bill Field, Purdue University. Professor Field's most recent findings were reported on at the American Society of Agricultural Engineers meeting in 1992.

2. Some recent examples of excellent reporting on child labor abuses include M. Wagner and M. Breton (1991) "Fields of Pain," The Sacramento Bee, Dec. 8-11, 1991, and B. Butterfield (1990) "Children at Work," The Boston Globe, April 22-26, 1990.

3. Child Labor: Characteristics of Working Children, U.S. General Accounting Office (GAO/HRD-91-83BR), p. 17.

4. Report on National Public Radio. The results were released by President Bush, who stated that reduction of TV viewing was critical to improving educational performance.

5. See Laurence Steinberg and Ellen Greenberger, When Teenagers Work (1986), particularly Chapter 2.

6. According to Restaurant Business magazine, there were 121,645 fast-food restaurants in the U.S. in 1989, up 30 percent from 1985. McDonald's, for example, has enjoyed steady growth between 1979 and 1989, with 5,747 restaurants in the U.S. and abroad in 1979, compared to 11,162 total restaurants in 1989, according to the company's 1989 annual report.

7. Teenage Research Unlimited, a Northbrook, Illinois-based market research group, reports that advertisers have changed the focus of the teenaged consumer market from age 18 to 15 because the typical high-school junior has nearly $60 a week in spending money from jobs and allowances, and brand loyalties develop early. The group estimates that more than 40% of juniors have jobs. In addition, a survey conducted by the firm found that 26.4 percent of teenagers aged 12 to 19 owned cars in 1990, an increase over 1989 levels.

8. Congressional hearings included the March 16, 1990 hearing held by the Employment and Housing Subcommittee of the Government Operations Committee, U.S. House of Representatives and the May 8, 1990 hearing before two subcommittees of the U.S. Senate's Committee on Labor and Human Resources. The National Safe Workplace Institute testified at both hearings.

9. The "Child Watch" effort by the Department of Labor, which attracted national publicity, found substantial abuse in the service-sector. See, for example, "Widespread Child Labor Violations," in The New York Times (March 16, 1990) and "The Child Labor Sting," Newsweek (March 26, 1990).

10. Legislation that has been introduced includes S. 600, "The Child Labor Act of 1990," sponsored by Senator Howard Metzenbaum (Dem., Ohio), which addressed greater penalties for offenders, and updated the list of hazardous jobs and tasks. As part of the Budget Reconciliation Legislation recently enacted into law, the Federal penalties for Child Labor violations have been increased by tenfold. However, with only one Federal compliance officer per state, it is unlikely that increased compliance will be forthcoming.

11. Between 1979 and 1986, some 3.4% of the full-time work force, or more than 3 million workers, moved down the economic ladder from jobs with mid-level earnings to jobs with low-level earnings. See The State of Working America, Economic Policy Institute (1988), p. 15. This downward wage shift can be largely attributed to the loss of 2 million manufacturing jobs between 1979 and 1987, paying an average of $21,000 per year. An estimated 44% of new jobs created between 1979 and 1985 paid $7,400 per year or less. See John J. Sweeney and Karen Nussbaum, Solutions for the New Work Force: Policies for a New Social Contract (1989), pp. 38-9.

12. The percentage of female-headed families with children rose from 14.6% in 1975 to 20.6 in 1988, according to Bureau of Labor Statistics data. In 1988, 67% of these single mothers were in the labor force. See "American Families: 75 Years of Change," reprinted from the U.S. Department of Labor's Monthly Labor Review (March 1990).

13. U.S. Department of Commerce, Bureau of the Census, Male-Female Differences in Work Experience, Occupation and Earnings: 1984, Series P-70, No. 10, August 1987, Table C, p. 5 and U.S. Department of Commerce, Bureau of Census, Money Income and Poverty Status in the United States: 1986, Series P60, N. 157, pp. 15-17.

14. See "Family Members in the Workforce," American Families: 75 Years of Change, Monthly Labor Review, Bureau of Labor Statistics (March 1990), pp. 14-19.

15. See "Training the Workforce of the Future," Technology Review, p. 66 (August/September 1989).

Chapter 3: A Silent Epidemic

The Health Crisis
of America's
Working Children

E [illegible]

Workers have always been expendable, but children who work are especially expendable. Children are killed and injured in substantial numbers, but their interests are failed by a flawed public policy that offers little protection and a compensation system that places little value on their lives. The physical danger of work is compounded by the insidious problem of psychological damage. Yes, work can help to produce positive qualities in young people. But unquestioned attention and loyalty to the positive attributes without concern for problems will ensure that problems are compounded. In the interest of protecting young people and ensuring a full and informed debate, it is time that we understand the likely scope of problems that work causes the young.

The physical danger of work is compounded by the insidious problem of psychological damage.

Some industries have made strides in combating workplace accidents and illnesses. This is especially true in industries where strong unions have compelled management to address hazards. When it comes to working children, however, we have fallen far short of what can and should be done. Working children are typically employed in industries that have little regulation or enforcement from either child labor inspectors or from the Occupational Safety and Health Administration. In the service sector, middle-class white children are often unable to communicate or develop meaningful rapport with the non-English speaking adults whom they work side by side with. As we will see, these factors leave young people vulnerable to injury and even death.

The Toll of Death Among Working Children

It is likely that 139 deaths—more than the number of U.S. soldiers killed by hostile forces in Desert Storm—resulted from work-related accidents in 1990. This estimate relies on methods used by government and academic researchers (See Table 3-1).

TABLE 3-1
Estimated work-related deaths annually to working children

Data on Fatalities of Working Children	Estimated Deaths of Working Children
NTOF (1.3% of 7,500):[1]	98
Adjustment for under-counting farm deaths:[2]	41
Estimated number of deaths	139

Notes:

1. Studies of death certificates by the National Institute for Occupational Safety and Health (NIOSH) show that 1.3% of work-related deaths in 1980-1984 (National Trauma Occupational Fatality—NTOF) were of adolescents between the ages of 12 and 17. The total estimate of work-related deaths — 7,500 — was made by the Occupational Injury Advisory Committee, National Injury Control Board, U.S. Department of Health and Human Services in 1991.
2. In a paper presented at the American Society of Agricultural Engineers in 1992, Professor William E. Field of Purdue University and Ernest J. Sheldon, a Graduate Research Assistant at Purdue, reported that 300 children die each year from farm-related injuries. According to Messrs. Field and Sheldon, 55% of deaths are of working children less than 15 years of age. Assuming that one-fourth of these deaths are work-related and involve non-family members, we can anticipate that NTOF estimates under count farm deaths by 41 per year.

Source: Prepared by the National Safe Workplace Institute

It is too easy to think of young workers as young and careless, and to think that these characteristics contribute to accidents. It is time to skeptically challenge the factors that victimize the victims.

Like workplace deaths in general, we don't hear much about the deaths of working children. The conditions in which children work go unchallenged by society and unanswered by a weak regulatory system. Because we ignore these conditions, we accept the fact that children will die and be injured. Over time, our collective neglect becomes imbedded in our culture and situations that outrage the informed are accepted.

This problem becomes compounded by other factors. Some bystanders tend to blame the deaths of working children on personality characteristics sometimes associated with the young. It is too easy to think of young workers as young and careless, and to think that these characteristics contribute to accidents. It is time to skeptically challenge the factors that victimize the victims. Unless we change our way of thinking, problems that could be corrected will persist.

The general cultural bias against children is made worse by a failed public policy. In fact, public policy sanctions the deaths and injuries of working children in two ways. First, as we will see later, those charged with enforcing the nation's laws typically impose little or no penalties, even for the most egregious violations. Second, the compensation system ignores the cries of injustice to the young. With few exceptions, children are not eligible for workers' compensation and they seldom have the right to sue. Our compensation systems are based upon wage histories that simply do not exist for the young. The sad truth is that allowing the young to be injured on the job is very inexpensive.

The workers' compensation system is obscene in its neglect for the working children who are killed. In our failed system, compensation is limited to burial benefits because working children typically lack surviving, dependent family members. Because state law considers workers' compensation benefits as the exclusive remedy in most job-injury cases, the right of an injured worker or survivors of a deceased to sue an employer is severely limited.

Because of these deficiencies in workers' compensation laws, the cost of death benefits for working children to employers is usually limited to burial payments. In most states, funeral costs often exceed burial benefit levels allowed under law, so families of deceased working children absorb some of the cost of burying their young. A typical funeral in the U.S. costs about $4,700 and often runs more than $7,500. The burial payment limitation levels provided under state workers' compensation laws are listed in Table 3-2 below.

TABLE 3-2
Maximum burial allowances under workers' compensation laws

State	Amount
Alabama	$ 1,000
Alaska	$ 2,500
Arizona	$ 3,000
Arkansas	$ 3,000
California	$ 5,000
Colorado	$ 2,000
Connecticut	$ 4,000
Delaware[1]	$ 700
District of Columbia	$ 1,000
Florida	$ 2,500
Georgia	$ 5,000
Hawaii[2]	—
Idaho[3]	$ 3,000
Illinois	$ 1,750
Indiana	$ 4,000
Iowa	$ 1,000
Kansas	$ 3,200
Kentucky[4]	$ 4,000
Louisiana	$ 3,000
Maine[5]	$ 4,000
Maryland[1]	$ 2,500
Massachusetts	$ 2,000
Michigan	$ 1,500
Minnesota	$ 2,500
Mississippi	$ 2,000
Missouri	$ 5,000
Montana	$ 1,400
Nebraska	$ 2,000
Nevada[6]	$ 5,000

New Hampshire	$ 5,000
New Jersey	$ 3,500
New Mexico	$ 3,000
New York[7]	—
North Carolina	$ 3,000
North Dakota	$ 2,500
Ohio	$ 3,200
Oklahoma[8]	—
Oregon	$ 3,000
Pennsylvania[9]	$ 1,500
Rhode Island	$ 5,000
South Carolina	$ 2,500
South Dakota[10]	$ 3,000
Tennessee	$ 3,000
Texas	$ 2,500
Utah	$ 1,800
Vermont	$ 2,000
Virginia[11]	$ 3,000
Washington	$ 2,000
West Virginia	$ 3,500
Wisconsin	$ 1,500
Wyoming[12]	$ 1,800

Notes:

1. Burial expenses in excess of maximum can be approved if there are no dependents.
2. Funeral expenses will be paid to the mortician; not to exceed 10 times the maximum weekly benefit. Burial expenses at the cemetery are not to exceed five times the maximum weekly benefit.
3. Actual expenses of transporting a body are covered.
4. Expenses of transporting a body are covered if within Kentucky.
5. A total of $3,000 is paid to the state as incidental compensation.
6. Transportation of the body and an accompanying person are covered if within the continental U.S.
7. Funeral expenses are limited to amounts established by the Chairperson of the Workers' Compensation Board.
8. If there are no dependents, $3,000 will be paid to the decedent's estate.
9. In the case of occupational disease, $750 will be paid directly to the undertaker.
10. Actual expenses of transporting a body are covered.
11. Reasonable expenses not exceeding $500 for transportation of the decedent's remains will be covered.
12. Unless covered by an agreement between employer and employee.

Source: State workers' compensation laws as of January 1, 1991.
Taken from Basic Information on Workplace Safety & Health in the United States, 1992 Edition, National Safe Workplace Institute.

For a $4,000 workers'-compensation death payment, Domino's walked away from Jesse's death.

Workers'-compensation benefits for those killed or injured on farms are even worse. While most states require that employers provide workers'-compensation insurance coverage for their non-farm employees, the same is not true for farm workers. Indeed, only 13 states—Arizona, California, Colorado, Connecticut, Hawaii, Louisiana, Massachusetts, Montana, New Hampshire, New Jersey, Ohio, Oregon, and Texas—provide farm workers the same level of protection as non-farm workers. In the remaining states, compensation for injured farm workers is more a matter of luck than protection.

It is cheap to kill a worker in the United States and especially cheap to kill a working child. Workers'-compensation laws are antiquated when it comes to the interests of working children. Employers who expose working children to the risks of death or serious injury have, in fact, had their behavior sanctioned by a weak and disgraceful public policy. It is wrong to think that existing laws and public policies, including workers'-compensation laws, protect young people from abusive or risky employment practices.

Putting a Face on the Deaths of Working Children

The stories of the deaths of working children are tragic. Families are typically poor or middle class. Many are single-parent households or involve minorities. Working children are typically industrious and well-liked by family members, friends, and co-workers. The sudden death of a child leaves a vacuum of both body and spirit and a sense of loss that cannot be easily measured. The shock of an unresponsive public policy is abrupt and quickly makes victims of families themselves. These deaths seldom involve unions or other empowered groups, which makes the families of working children particularly powerless.

There are names and faces behind the statistics. These stories illustrate a reality that numbers just can't express. The tragic story of 15-year-old Bernie Kimmell was written about in *Faces—The Toll of Workplace Death on American Families*.[1] Like many teenagers, Bernie took a job to earn a few extra bucks. Among his tasks at a 7-Up plant in Elkton, Virginia, he operated a fork-lift. Bernie, the youngest of six children, was killed in an accident while operating the lift. Much to his misfortune, his death could have been avoided had his employer adhered to Federal and state child labor laws that restrict the operation of fork-lifts to persons 18 years and older.

The fork-lift that Bernie operated overturned, crushing his strong, six-foot-five inch body. Fortunately, his mother, Margaret made it to her son's side before he died. In an interview with her, Margaret said that Bernie lived with very little emotion. On his death bed, Bernie told his Mom he loved her, the first time that she had heard such words of tenderness from him. As soon as he spoke, he died.

Bernie's employer was fined a few hundred dollars by the Federal government. Margaret filed a lawsuit against 7-Up. Just a few months ago, the court ruled that 7-Up was immune from litigation under Virginia's workers'-compensation laws.[2] In total, Margaret has received $2,000 in workers'-compensation death benefits to bury her son, an amount less than the cost of Bernie's funeral.

. . .

Brent was electrocuted while attempting to plug in or unplug a cord to a bun-warmer at the fast-food outlet.

This story is hardly unique. Jesse Colson,[3] a young Indiana high-school student, was illegally hired by Domino's Pizza, Inc., to deliver pizzas near Indianapolis. (Federal law mandates that one must be 18 to operate a commercial vehicle, a law that has often been disregarded by Domino's management.) At Jesse's place of employment, management had instituted a "King of the Lates" policy to punish drivers who did not deliver pizzas within the 30-minute limit promised to customers.

In a predictable fashion, Jesse Colson lost his life rushing to finish a delivery. As was the case with the 7-Up corporation, Domino's escaped real responsibility. For a $4,000 workers'-compensation death payment, Domino's walked away from Jesse's death. The deaths of Bernie and Jesse both were legitimized by an outrageous public policy that lets employers escape real punishment for their acts of tragic neglect.

One place where one would expect workers to be safe would the fast-food industry. But consider the tragic death of Brent Martinek.[4] Brent, a 16-year-old, was found slumped over a large electrical outlet at a McDonald's in Milwaukee. He had been electrocuted.

According to press reports, Brent was electrocuted while attempting to plug in or unplug a cord to a bun-warmer at the fast-food outlet. Brent, who had been on the job just four days, was found by his manager and taken to a hospital, where he was pronounced dead. Martinek is not alone as the victim of an electrocution at McDonald's. There have been others, but whatever was learned from those preceding tragedies obviously was not applied in time to save Martinek's life.

Workers have always been exploited, but children as workers are especially vulnerable to abusive and neglectful employers. In the U.S., public policy fails to sanction and deter employers who kill children. Families end up with a booby prize, paying some of the costs of burying their young. From an economic perspective, the employer has transferred or externalized the costs of murder from the work environment to the family and society. In the case of Bernie, Jesse, and Brent, the huge social investment in education, nurturing, and caring—by both families and communities—is wiped out. For their families, the loss is far more profound.

The results of injury and death are dramatic and apparent. The result of chemical exposures however is far more complex. Many working children, especially those who work on farms, are exposed to chemicals and toxins that cause disease. Most diseases have lengthy latency periods. It is impossible to know what the full impact of these exposures will be for decades to come.

There are few ordeals more stressful than for parents to bury their young. While any death engenders a sense of loss, the death of children is especially tragic. There is something terribly wrong when a young person dies. We have a special burden to ensure that our young people are protected and not recklessly sacrificed.

How Many Working Children are Injured?

Children suffer far too many work-related injuries. A Massachusetts study of adolescent visits to emergency rooms for treatment of injuries found that, of those injuries with an identified location, 24% had occurred on the job.[5] As is the case with fatalities, however, existing public policies have failed to provide meaningful occupational-injury reporting for working children. There are, however, reasonable methods that can be used to estimate the number of working children injured each year in work-related accidents. Such methods must be used if we are to develop a sense of the scope of occupational injury among working children. In using the calculations in Table 3-3, we can estimate the number of injuries to working children at about 71,660 in 1990.

TABLE 3-3
Formula for determining the number of injured minors per year

Number of working children		=	5,500,000	=	A
Injury rate per 100 workers		=	8.6	=	B
Number of injuries	= A x B ÷ 100	=	473,000	=	C
Average minor workweek (hours)		=	15	=	D
Average adult workweek (hours)		=	40		
Workweek ratio	= D ÷ 40	=	.375	=	E
Number of injuries, reduced for workweek ratio	= C x E	=	177,375	=	F
Average number of weeks per year worked by minors		=	21	=	G
Average number of weeks per year worked by adults		=	52		
Employment duration ratio	= G ÷ 52	=	.404	=	H
Final number of injuries, reduced for employment duration		=	F x H	=	71,660

Note:
Injury rate per 100 workers is from the Bureau of Labor Statistics. For information on other numbers used in these calculations, see information that follows.
See Appendix I

Prepared by the National Safe Workplace Institute

Until we know the scope of the problem of occupational injury to working children, it is unlikely that we will develop appropriate policies and programs to ensure that children are protected from hazards and abusive employment practices. By examining other sets of data, we see that the scope of occupational injury to working children is large. For example, one study shows that in 24 states, non-fatal work injury rates in children were high, with an annual rate of 12.6 per 100 for males and 6.6 per 100 for females. The same study shows that serious injuries such as fractures made up 5.8 percent of the injuries.[5]

The National Safe Workplace Institute—working with statisticians and demographers—developed a formula to calculate such an estimate for a group of industries known to employ substantial numbers of children. We discovered that it is likely that 40,000 working children were injured in 1990 in just five industries.

TABLE 3-4

Estimated levels of injury to working children by age group and for selected industries

By age:	**Age**	**Estimated numbers of Injuries to working children**
	12-13	1,444
	14	3,209
	15	9,084
	16	14,035
	17	16,849
	Total injuries:	**44,621**

By industry group:	**Industry group**	**Estimated numbers of Injuries to working children**
	Eating and drinking places	20,064
	Grocery stores	10,541
	Nursing homes	4,789
	Department stores	5,621
	Hotels and motels	3,606
	Total Injuries	**44,621**

Source: Prepared by National Safe Workplace Institute
Please see Appendix I for details on calculations.

Calculations used in preparing the estimates in Table 3-4 are based on understanding industry injury rates, the amount of hours each week and the number of weeks each year that working children are employed, and what share of the labor force for that industry that they comprise.

The formula used for this purpose is provided in Table 3-5. Specific calculations and assumptions, are provided in the Appendix II of this report.

TABLE 3-5
Method for estimating occupational injuries for working children

Step 1. Identify the preliminary number of working children by age in the U.S.

- The base-line for the number of children by age has been reported by the Bureau of Census for 1990 as:

1.	12- and 13- year-olds:	6,762,450
2.	14- year-olds:	3,243,107
3.	15- year-olds:	3,321,069
4.	16- year-olds:	3,304,890
5.	17- year-olds:	3,410,062

- The percentage of working children by age (15-17) has been determined by the U.S. General Accounting Office as:
  1. For 15-year-olds:
     - 28 percent work
     - Work week averages 17 hours
  2. For 16- and 17-year-olds:
     - 51 percent worked
     - Work week averages 21 hours
- For the purpose of this estimate, the authors have made the following assumptions about 14-year-olds:
  - 14 percent work
  - Work week averages 10 hours
- For the purpose of this estimate, the authors have made the following assumptions about 12- and 13-year-olds:
  - 7 percent work
  - Work week averages 6 hours
- We have listed five leading industries that employ significant numbers of working children. Included with this, we have estimated the percentages of the number of working children compared to the adult work force for each age group and industry.

	Work percentages:				
Industry	**12 & 13**	**14**	**15**	**16**	**17**
Eating and drinking	3.00	4.00	6.66	8.33	10.00
Grocery stores	2.25	3.00	5.00	6.25	7.50
Nursing homes	1.50	2.00	3.33	4.17	5.00
Department stores	1.80	2.40	4.00	5.00	6.00
Hotels and motels	1.50	2.00	3.33	4.17	5.00

- With these statistics we are able to determine the total number of working children for each age group and industry.

	Age group:				
Industry	**12 & 13**	**14**	**15**	**16**	**17**
Eating and drinking	10,716	14,288	23,789	29,755	35,720
Grocery stores	5,630	7,506	12,497	15,631	18,765
Nursing homes	2,558	3,410	5,678	7,101	8,525
Department stores	3,002	4,003	6,665	8,337	10,008
Hotels and motels	1,926	2,568	4,276	5,348	6,420

Step 2. Determine the final number of child injuries.

- Calculate the number of child injuries per age by multiplying the total number of injuries per industry times the work force percentage. We then adjust this value to determine the final number of injuries. Multiply the number of child injuries by the work week ratio. This ratio is the average child work week to the average adult work week of 40 hours.

Age	Average work-week ratio
12 & 13	6/40 = .15
14	10/40 = .25
15	17/40 = .425
16 & 17	21/40 = .525

- The number of injuries must then be adjusted by the percentage of the number of weeks per year a minor works to that of an adult.

- The average minor works 21 weeks a year to give a work year ratio of .404

See Appendix II for details of calculations.

Note: This method is likely to understate the amount of occupational injury for working children because it:

a. Ignores the fact that demographers have established that younger workers have higher rates of injury than adult workers.

b. Data do not reflect the number of injuries that occur to individuals under 12 and do not adequately reflect the numbers of injuries to farm children.

Table 3-6 provides a more detailed examination of injuries in each industry group and by age. Younger workers work less and comprise a smaller share of each industry group's labor force. The methods used in this exercise are very conservative and certainly understate the actual level of injury among working injury.

TABLE 3-6
Estimates of occupational injury experienced by working children, by age and by industry

Age group	Industry	Number of Injuries
12 & 13	Eating and drinking	649
	Grocery stores	341
	Nursing homes	155
	Department stores	182
	Hotels and motels	117
	Total injuries, 12- and 13-year-olds	1,444
14	Eating and drinking	1,442
	Grocery stores	758
	Nursing homes	345
	Department stores	404
	Hotels and motels	259
	Total injuries, 14-year-olds	3,209
15	Eating and drinking	4,083
	Grocery stores	2,145
	Nursing homes	975
	Department stores	1144
	Hotels and motels	734
	Total injuries, 15-year-olds	9,084
16	Eating and drinking	6,311
	Grocery stores	3,316
	Nursing homes	1,506
	Department stores	1,768
	Hotels and motels	1,134
	Total injuries, 16-year-olds	14,035

Industries that employ large numbers of working children also have high injury rates

17	Eating and drinking	7,576
	Grocery stores	3,980
	Nursing homes	1,808
	Department stores	2,123
	Hotels and motels	1,362
	Total injuries, 17-year-olds	16,849

Note: Individual injury values have been rounded up.
Source: Prepared by National Safe Workplace Institute
Please see Appendix II for details on calculations.

As Table 3-6 shows, industries that employ large numbers of working children also have high injury rates. Even though these industry groups employ large numbers of working children and minorities, they are not routinely scheduled for safety and health audits by the Occupational Safety and Health Administration (OSHA). Because of its limited resources, OSHA schedules inspections only on industries with very high levels of injuries. Therfore, there is virtually no chance that employers in industries other than those considered the most hazardous, will ever be inspected except when a fatality occurs or multiple injuries take place — the only time OSHA is required to make an inspection — or when complaints are made.

The result of current public policy is that employers of working children have little scrutiny by regulators and, consequently, have little fear of meaningful and effective inspections or enforcement actions. For the young, public policy fails to protect their interests and rights to have a safe and healthy work environment.

TABLE 3-7
Injury rates for industry groups that employ large numbers of working children, 1990

Industry group*	Total cases (thousands)	Total case rate**
Eating and drinking places	357.2	8.4
Grocery stores	250.2	12.3
Nursing homes	170.5	15.6
Department stores	166.8	11.2
Hotels and motels	128.4	10.6

**Industries that employ significant numbers of teenagers (author's estimate).*
***Rates per 100 full-time workers.*

Source: Bureau of Labor Statistics

Ideally, work for children ought to be an issue for the child and for the worker or, possibly, for the school. However, families and schools simply have not had sufficient information on which to make informed judgments on whether work is appropriate and wise. Many parents are blinded by their economic circumstances or by a fear that the recession may take their job or reduce their income. Still other parents believe that they benefited from work and that work will be beneficial to their children as well.

Moreover, most families and schools would like to assume that employers would have the best interest of working children in mind and would voluntarily limit work activities or substantial injury risks. Unfortunately, local individuals or families—the employers that hired working children in previous generations—have been supplanted by distant corporations with franchise rules and management systems that diminish the importance of local concerns and interests.

The Institute is hardly alone in its concerns about the adverse health risks for working children. Table 3-8 summarizes the findings of other researchers from a variety of fields, including two government agencies.

TABLE 3-8
Other research findings on occupational injury and working children

In the U.S.:

- Injuries are the leading cause of death in children older than one year of age, and they account for 45% of all mortality in 5- to 14- year-old children in the U.S. Approximately 10,000 children die from injuries each year.
- A recent review of adolescent visits to emergency rooms in Massachusetts for treatment of injuries found that of those injuries with an identified location, 24% had occurred on the job.
- In 1986, workers' compensation awards were made to 1,333 children under age 18 in New York State for work related injuries; 42% of those injuries involved some degree of permanent disability; 99 of the awards were made to children under the age of 15.

Source:
S. Pollack, P. Landrigan, and D. Mallino (1990)
Annual Review of Public Health, 11:359-75.

- There were 31,509 work-related injuries in 26 states to working children under 18 in 1988 (up from 27,480 in 1987).

Source:
U.S. General Accounting Office (1991)
Child Labor: Increases in Detected Child Labor Violations Throughout the United States
GAO/HRD-90-116.

- At least 100 children under 18 die in work-related incidents each year in the United States.

Source:
A. Suruda and W. Halperin (1991)
Work-Related Deaths in Children
American Journal of Industrial Medicine 19:739-745

- 300 children and adolescents die each year from farm injuries, and 23,500 suffer non-fatal trauma.

Source:
F. Rivera (1985)
Fatal and non-fatal farm injuries to children and adolescents in the United States
Pediatrics 76:567-73.

- 460 children were killed in work-related accidents on farms in Indiana and Wisconsin between 1970 and 1990.

Source:
W. E. Field and E. J. Sheldon (1992)
Paper presented at the American Society of Agricultural Engineers annual meeting in 1992.

Oregon:

- From 1979 through 1990, 6,982 injuries to youths 17 and under occurred on the job in Oregon.
- Of those accidents investigated by Oregon OSHA between 1983 and 1989, only 27 percent of the employers were found to be in compliance with state and Federal safety regulations. During 1987 through 1989, compliance fell to 20 percent.

Source:
Oregon Department of Labor
Compiled by the National Safe Workplace Institute

Because society tolerates life-threatening abuse to Mexican children, businesses can get by with less offensive but still serious acts to other children.

The numbers of working children injured each year is large, most certainly much larger than what has been projected in this report. Proper measurement of the health risks associated with employment is crucial to understanding that abusive employment practices are more than a labor issue, as important as labor issues are. The scope of injury to working children suggests that this is both a public health issue and, as we will see later in this chapter, an issue for educators.

Child Labor and the Service Sector: An Overview

Children from less privileged segments of society have never been fortunate enough to receive just treatment. In December of 1992, *The Sacramento Bee* described the poisoning of California's migrant children in a series entitled "Fields of Pain."[7] The people of our nation allow millionaire farmers to knowingly poison Mexican children in the interest of cheaper produce; we must critically question why such practices are allowed to continue unrepremanded in this country. Because society tolerates life-threatening abuse to Mexican children, businesses can get by with less offensive but still serious acts to other children.

The *Bee* is not alone in what it has found. In 1990, *The Boston Globe* published "Children at Work," a series that revealed that child labor abuse has spread from the farms and garment district sweat shops to a wider group of employers, including businesses in the service sector.[8] The *Globe* followed teenagers in the fast-food industry who not only lost precious sleep, but also fingers and parts of hands.

The service sector today is far different than it was a few decades ago, especially for young people. In the 1960s, names like McDonald's, Burger King, and Domino's meant little to the average citizen. At that time, U.S. business was developing a new innovation called franchising—the technique of spreading similar business units with centralized control and authority. Its creators believed that product quality and service had to be uniform if franchising was to have value. For this emerging industry, centralization and uniform task management became a formula for success. In the fast-food industry, franchised operations that promised prompt service and uniform products were virtually assured of success in the market. Franchised fast-food outlets exploded on the U.S. landscape and, more recently, across the industrialized world.

Many people have a positive attitude toward the fast-food industry and the industry has received much praise for its ability to generate employment. Child labor practices in the fast-food industry do not have an identifiable "villain," but reflect evolutionary changes in the service-sector of the economy and in labor markets, and changes in other demographic factors well beyond the control and influence of any single group. Many parents permit or indeed want their children to work, and fast-food outlets provide the opportunity for employment. When demand for this child labor grows while the supply of teenagers declines, severe problems develop.

The fast-food industry today is much more likely to employ a white child from a middle-class family than a poor child from the inner city.

It seems to make sense to hire young people in the fast-food industry. They do not require high wages or benefits. They are readily available when peak demand exists, during the evening dinner hour. The pattern of child labor utilization is substantially different from that which existed in previous generations, when work could be done in the early afternoon hours or on the weekends. Moreover, our convenience-driven society has increased the demand for fast-food far into the evening hours. In the past decade, fast-food outlets have lengthened their hours of operations by opening earlier in the morning and staying open later into the night. While data are not available, it is likely that the average fast-food outlet in 1980 opened at 10 a.m. and closed by 9 p.m. Today, typical hours are from 5 a.m. until midnight or later. This is especially true of outlets in middle-class neighborhoods and the suburbs.

The profile of a typical working child in the U.S. is disturbing. The fast-food industry today is much more likely to employ a white child from a middle-class family than a poor child from the inner city. Indeed, investigations show that many urban fast-food outlets simply will not hire youngsters under 18 because the supply of adult labor is so great. On the other hand, fast-food outlets in the suburbs routinely violate child labor laws and employ under-age children.

Why Service Sector Jobs are Hazardous to Young People

The fast-food industry is the single largest employer of teenagers in the U.S. today. Indeed, McDonald's has now passed General Motors as the single largest employer. For reasons that will be explained, the fast-food industry is far more insidious and abusive to young people than the casual observer would believe. The fast-food industry typically will hire youngsters off the street and place them in jobs with substantial risk of burns, lacerations, slip and falls, with little or no training. Indeed, many fast-food managers know virtually nothing about child labor or injury-reporting requirements. There is little incentive for the fast-food industry to comply with these requirements because there is only a slight chance they will be inspected by child labor or job-safety inspectors. This is in spite of the fact that many industries that employ teenagers are reasonably dangerous, as we can see from data presented in this chapter.

Government reports on injury to working children are fraught with shortcomings. For example, we do not know specifically what percentages of injuries are suffered by teenagers—although studies show inexperienced workers to have higher rates of injury than experienced workers. In any event, such data from the service sector would be highly suspect. Fast-food managers typically insist that injuries be treated as a "family" responsibility rather than a business responsibility. This is true even in serious accidents. Because injury reporting requirements are so weak, there is little or no pressure on fast-food outlets to change. Because the Occupational Safety and Health Administration does not inspect restaurants except in rare events, record keeping remains a low priority.

Fast-food managers typically insist that injuries be treated as a "family" responsibility rather than a business responsibility.

Physical Health Hazards in the Service Sector

The hazards in the fast-food sector are startling, and the lack of training outrageous. David MacCullom, a past president of the American Society of Safety Engineers, recently wrote to the Institute expressing his outrage at the hazards to which teenagers are routinely exposed. Mr. MacCullom believes that teenagers suffer from falls, burns, cuts, electric shocks, muscle strains, and many other injuries that appropriate training and management practices could prevent.

Such health hazards and steps to prevent them are summarized in Table 3-9 below. This table by no means exhausts the scope of hazards or possible preventive measures.

TABLE 3-9
Health hazards likely experienced by teenage workers in the fast-food industry

Hazard	Corrective Action
Slips and Falls	Training, Better Flooring, Slip Resistant Footwear
Cuts, Lacerations	Training, Guarding, Proper Supervision
Burns	Training, Protective Clothing and Gloves, Proper Supervision
Electrical Shock	Reposition Outlets, Better Wiring, Safer Appliances
Motor Vehicles	Prevent Use
Lifting	Training, Proper Supervision
Solvent and Chemical Exposure	Training, Proper Supervision, Ventilation
Sleep Loss	Training, Proper Supervision, Restricted Hours

Source: National Safe Workplace Institute and David MacCollum, P.E.

Mental-Health Hazards in the Service Sector

There are a number of mental-health hazards in the service sector that include both short- and long-term concerns. Unfortunately, the research on the psychological effects of employment on adolescents contains a number of shortcomings. For example, researchers do not distinguish between the types of employment or the hours when teenagers are employed. A youngster working late nights in a fast-food outlet is more likely to be more adversely affected by employment than a teenager working late afternoons in an office under careful supervision. Nonetheless, a number of researchers have compiled information that raises important questions about the psychological problems that can be associated with adolescent employment.

Even a casual observer can recognize the enormous stress in many fast-food establishments, particularly during the peak dinner hour or very late in the evening when tired student-workers are serving impatient customers. The pressures of work—particularly in an era when young people lack sufficient support systems—create tremendous burdens that lead to abnormal behaviors that for many young people quickly compound.

The positive impact of teenage work is offset by substantial harm. Indeed, many working children are caught in a vicious cycle. They go from little or no income to $60 or more a week. Consumer items such as Nike shoes or disc players that were previously out of reach are suddenly obtainable. Increased work leads to increased pressure and problems, which are described in Table 3-10 below.

TABLE 3-10
A worst case scenario for the fast-food worder

Step	Activity
1	Teenager goes from little or no income to $60 or more or per week.
2	Student-worker consumes more status-conscious items to replace decreased peer relationships.
3	Increased work load leads to curriculum downgrading (e.g.: geometry to business math).
4	To accommodate the increased stress of work, substance abuse increases. Hostility toward parents and school officials grow.
5	Academic deterioration, health problems, and absenteeism increase.
6	Family, academic, and social problems increase. Student-worker drops out of school to work full-time.

Source: The National Safe Workplace Institute

While it is not clear what impact excessive employment has on substance abuse and drop-out patterns, it is clear that pervasive problems exist that are largely unaddressed by families, public authorities, researchers, or educational administrators. For the purposes of this report, we have made a distinction between short-term mental-health problems and long-term development dysfunctions. This distinction has been established strictly to help the reader understand the adverse effects of adolescent employment practices. The mental-health problems that have been identified by researchers are provided in Table 3-11.

TABLE 3-11
Mental health problems for adolescents associated with employment

Psychological Distress
Drug and Alcohol Abuse
Anxiety
Depression
Fatigue
Insomnia

Source: L. Steinberg and S.M. Dornbusch (1991)
Negative Correlates of Part-Time Employment During Adolescence: Replication and Elaboration.
Developmental Psychology 27, pgs. 304-313.

Substantial and unappreciated long-term costs are associated with teenage employment, which are identified as developmental dysfunctions in Table 3-12 below. Students who work long hours often receive lower grades than their non-working peers, and are more likely to use alcohol or drugs. Many teachers complain that their working students fall asleep in class and do not complete homework assignments. Likewise, today's work experience may adversely affect teenagers' future work habits and career decisions. Perhaps to help cope with the stress and disorientation of having a job, many young people, finding themselves with money for the first time turn to alcohol and drugs

TABLE 3-12
Developmental dysfunctions experienced by employed adolescents

Poor Educational Performance
Delinquency
Antisocial Behavior
Reduced Participation in Extra-Curricular Activities
Drug and Alcohol Abuse
Curriculum Downgrading
Reduced Self-Esteem
Poor Peer Group Relationships
Autonomy from Parents
Poor Work Orientation

Source: L. Steinberg and S.M. Dornbusch (1991)
Negative Correlates of Part-Time Employment During Adolescence: Replication and Elaboration.
Developmental Psychology 27, pgs. 304-313.

The student-workers who suffer from psychological problems are likely to do so without the benefit of mental-health services. In turn for short-term wage gains, many student-workers are unwittingly diminishing their futures. Many of the problems are latent, not becoming apparent for a number of years. We do not have the monitoring and surveillance systems that will help us understand, in scientific terms, the magnitude of the problems that have been identified here. It is time that mental- and public- health researchers begin to examine these issues so that a proper and thorough analysis can be made.

In April 1992, J. Donald Millar, Director of the National Institute for Occupational Safety and Health, addressed the Childhood Agricultural Injury Prevention Symposium with the question: "Who Shall Save the Children?"[9] We may well ask the same when it comes to the service-sector. In the final analysis, the problems identified in this chapter require leadership from a broad spectrum of parents, educators, government, industry, labor, and political leaders. We all must join together to save the children and not lose this opportunity.

Notes:

1. National Safe Workplace Institute (1989): Faces: The Toll of Workplace Deaths on American Families pg. 209. Chicago: National Safe Workplace Institute.

2. Letter dated May 12, 1992 from Peter Munsing to Joseph A. Kinney, Executive Director, National Safe Workplace Institute.

3. M. Kelly (1989) "A deadly delivery problem." The Boston Globe, July 19, 1989, p. 1.

4. See news articles, The Milwaukee Journal, October 25, 1991.

5. M. Anderka, S. Gallagher, 1985, Adolescent work-related injuries. Presented at the American Public Health Association Meeting, Washington, D.C.

6. S. Schober, J. Handke, W. Halperin, and M. Moll (1988), Work-related injuries in minors. American Journal of Industrial Medicine 14:585-95.

7. M. Wagner and M. Breton (1991) "Fields of Pain." The Sacramento Bee, Dec. 8-11, 1991.

8. B. Butterfield (1990) "Children at Work." The Boston Globe, April 22-26, 1990.

9. Address by J. Donald Millar, M.D., D.T.P.H., presented at the Childhood Agricultural Prevention Symposium.

Chapter 4: A Profile in Neglect

The Role of the Federal Government in Preventing Abusive Child Labor Practices

The dynamics and economics of child labor do not favor the interests of children. Children perform low-skill yet labor-intensive tasks for low wages.

They are ripe for explotation because they lack experience and information. The current economic crisis —a prolonged recession with steep unemployment— makes the prospects for working children even more bleak as the supply of workers willing to take low-paying jobs dramatically increases.

Hard-pressed employers often use children because adults are unavailable, too costly, or too independent. Even in the best of times, marginal employers are reluctant to invest in education and training of adult workers, let alone the young. Employers complain, with some justification, of high turnover rates by their young workers. In a recession, these problems compound as employers cut corners —and break laws— to survive hard times.

Government has not come to the defense of working children. The U.S. employs more than 12,000 Federal and state fish and game inspectors,[1] yet there are fewer than 400 full-time equivalent child labor inspectors. The bottom line: fish and game demand 30 times more budget resources than the interests of working children.

The U.S. employs more than 12,000 Federal and state fish and game inspectors, yet there are fewer than 400 full-time equivalent child labor inspectors.

Federal and state governments have never appropriately addressed the scope and depth of child labor. Government's failure has been tolerated by an uninformed public that has lacked access to the vigorous debate that is so crucial to informed decisions and choices. In political bodies, working children do not have powerful advocates because they do not vote and are not politically organized. On the other hand, those who employ children—fast-food restaurants and small businesses— have enormous political leverage and, consequently, impact on child labor policy-making and enforcement in the U.S.

With few exceptions, the government's capacity to enforce child labor laws is weak and growing weaker. In this chapter, we will examine the Federal government's performance. In the next chapter, we will scrutinize the efforts of state governments. The collective effort is one marked by continued shortcomings. This combination —an easily exploited human resource, working children, meekly "protected" by a weak government —results in the perpetuation of abusive employment practices.

Table 4-1 below provides some information on the Federal government's commitment to child labor inspections. The unfortunate reality is that most businesses that employ minors are unlikely to ever see a Federal investigator.

TABLE 4-1
Information on Federal child labor enforcement

Number of Federal investigators likely to be conducting child labor investigations at any time in 1992:	93
Number of Federal and state fish and game inspectors in 1992:	12,000
Ratio of fish and game inspectors to child labor investigators:	129 : 1
Number of U.S. business establishments likely to employ working children:	2,000,000
Number of business establishments claimed to have been inspected by the Department of Labor for child labor violations in 1991:	40,000
Probability of a business establishment that is likely to employ a child to be investigated:	2 percent or once every 50 years.

Compiled by the National Safe Workplace Institute.

Those who employ children— fast-food restaurants and small businesses— have enormous political leverage and, consequently, impact on child labor policy-making and enforcement in the U.S.

Ironically, political leaders who object to children watching 21 hours of television each week have no apparent difficulty tolerating adolescents working twice that much. On May 28, the Department of Education, with Presidential support, released a document claiming that children watched TV an average of three hours a day,[2] and identified TV as an impediment to education.

By comparison, the Department of Education has ignored the impact of work on the lives and educational progress of adolescents. Television networks and cable companies are easy political targets, much unlike the politically influential fast-food companies. The notion of attacking TV while ignoring adolescent employment is like suggesting to a thief that it is appropriate to steal from one group but not another. Statistics show that television and work take up equal amounts of time in the lives of the estimated one half of all teenagers who work. But that is only half the story. Without question, work exposes children to numerous physical and psychological burdens. The unwillingness of our political leaders to understand how children spend their time ensures that we will remain ignorant about how adolescent employment practices impede educational advancement.

Some adolescent employment practices —especially work on farms and in sweat shops— seem ripe for public intervention. While all adolescent employment practices demand scrutiny and attention, it is unlikely that our political leadership will come to grips with the broader issues until it tackles migrant-farm and sweat-shop abuses. Two years ago, a specific plan was put forth to address migrant-farm-labor abuses. The plan was killed by the White House.

Thwarted Vision

On July 24, 1990, then-Labor Secretary Elizabeth Dole sent a memorandum to Edith Holiday and Roger Porter.[3] Secretary Dole had seen too much of the poignant lives of migrant children who are exposed to extremely hazardous working conditions, poor field sanitation, and impoverished living conditions. Documents provided to the National Safe Workplace Institute reveal that Secretary Dole had a bold vision to attack child labor problems in the United States. She took her vision to the White House, where it was promptly killed.

Secretary Dole's vision was articulated in a lengthy memorandum to attack migrant labor problems. Secretary Dole's initiative came, in her words, "from renewed reports of the substandard and often deplorable living and working conditions —some of which I have witnessed myself— of migrant farm workers." Her plan called for improved enforcement, enhanced community outreach, and regulatory review. She wrote that "our program is ambitious, comprehensive and feasible." But she warned that she was entering a "policy area . . . that is not without controversy." Secretary Dole's vision became a failed dream that would have led to meaningful changes for these workers. The farm lobby, acting to protect its unfettered access to a cheap supply of labor, thwarted the plan that the White House quietly killed. Secretary Dole left the Administration shortly thereafter. Table 4-2 provides discussion on how her plan would have changed the lot of farm workers.

TABLE 4-2
How the Dole initiative would have helped farmworkers

1. Improve enforcement of farmworker protections by increasing the number of farm labor enforcement personnel (from 22 to 52), increase the civil money penalties for violations, and streamline the administrative process for assessing and collecting penalties.

2. Create enforcement "strike forces" to conduct highly visible, concentrated enforcement efforts in targeted geographical areas. This targeted enforcement will have a much greater deterrent impact on the general agricultural employer community than isolated, uncoordinated enforcement activities.

3. Amend regulations and support legislation to better protect farmworkers from substandard housing, child labor violations, and toughen grower responsibility for violations committed by crew leaders.

4. Improve coordination with the Department of Labor and between Federal agencies to better utilize the limited resources available to enforce farmworker protective laws and provide services to farmworkers.

5. Improve service provided by the Employment Service to better match farmworkers to available jobs and to extend the protections offered by interstate clearance to more farmworkers.

Prepared by the Farmworker Justice Fund, Inc.,Washington, D.C.,
at the request of the National Safe Workplace Institute

. . .

The Wage and Hour Division has far more to do than enforce the Fair Labor Standards Act. The Division, unlike many other Federal agencies, has 12 other laws it must enforce . . .

What Does the Federal Government do to Protect Working Children?

The primary law designed to protect working children from abusive employment practices is the Fair Labor Standards Act of 1938. This law, administered by the Wage and Hour Division of the Department of Labor, gives the Secretary of Labor broad authority to enforce child labor laws. Generally, the Division has two basic responsibilities in enforcing the Fair Labor Standards Act. These are:

1. Protecting children from hazardous occupations and tasks. Federal and state laws prohibit children from undertaking certain tasks that represent substantial harm.

   These include:
   - Manufacturing and storing explosives
   - Motor vehicle driving and outside helper
   - Coal mining
   - Logging and sawmilling
   - Power-driven woodworking machines
   - Exposure to radioactive substances
   - Power-driven hoisting apparatus
   - Power-driven metal-forming, punching, and shearing machines
   - Mining, other than coal mining
   - Slaughtering, meat-packing, processing, or rendering
   - Power-driven bakery machines
   - Power-driven paper-products machines
   - Manufacturing brick, tile and kindred products
   - Power-driven circular saws, band saws, and guillotine shears
   - Wrecking, demolition, and ship-breaking operations
   - Roofing operations
   - Excavation operations

2. Restricting the hours that can be worked. There are Federally imposed restrictions on the hours that 14- and 15-year-olds can work. Children also are prohibited from working past established hours in the evening or before certain hours in the morning.

The Wage and Hour Division has far more to do than enforce the Fair Labor Standards Act. The Division, unlike many other Federal agencies, has 12 other laws it must enforce, as well as numerous whistle-blower protections. Until very recently, the division did not have specialists on child labor issues. The task of enforcing such a large number of laws imposes enormous administrative and management burdens on the division. Without pursuing a single child labor violator, the Department of Labor and its Wage and Hour Division have a substantial challenge in meeting their other obligations.

> *Currently, the equivalent of 93 are officers engaged in child labor activities. This is a ratio of more than 59,000 working children per investigator.*

Enforcing Federal Child-Labor Laws

The U.S. devotes very few resources to battle child labor abuse. It is not enough to blame this failure on the Department of Labor. In fact, the Congress has appropriated less for child labor compliance than the funds that have been requested by the Department.[4] The paucity of resources make it difficult to do a comprehensive job in ensuring compliance. As a result, the Department likely will become more reliant on complaints or other information rather than scheduling inspections.

In recent years, the Wage and Hour Division has reshuffled the burden among its enforcement officers. As recently as 1986, the Division's investigators devoted only four percent of their time to child labor enforcement. However, that allotment has nearly tripled —from four to 11 percent— during the past six years even though the Congress has given it four new laws to enforce. Table 4-3 lists specific estimates on the actual number of full-time equivalent investigators devoted to child labor enforcement. As this table shows, the Federal government has dedicated more than 100 investigators —two per state— to the enforcement just once since FY 1983. Currently, the equivalent of 93 officers are engaged in child labor activities. This is a ratio of more than 59,000 working children per investigator.

TABLE 4-3
Actual numbers of Wage and Hour Division investigators, amount of time devoted to child labor enforcement, and full-time equivalency estimates

Fiscal Year	Number of W&H Investigators	Percent of Time Devoted to Child Labor	Full-time Equivalent[1]
1983	928	4%	37
1984	916	4%	37
1985	950	4%	38
1986	908	4%	36
1987	951	5%	48
1988	952	5%	48
1989	970	5%	49
1990	938	11%	103
1991	865	8%	69
1992	841*	11%	93
1993	825**	n.a.	

*Through June 30, 1992.
**Based upon current appropriations request.
Note: 1. It is difficult to estimate full-time equivalency. According to DOL records, Wage and Hour investigators looked for child labor violations in more than 40,000 investigations.
Compiled by the National Safe Workplace Institute based upon information provided by the U.S. Department of Labor.

A particular place of employment had a one in 50 chance of being inspected during FY 1991

Even though just a small number of individuals are involved in child labor investigations, they have found a large and —until recently— growing number of violations. It is impossible to know with any degree of certainty if child labor violations are increasing or decreasing at any particular time. For example, the Department of Labor claims that it "looked for" violations in more than 40,000 investigations during FY 1991. Nonetheless, there are probably more than two million businesses that employ adolescents. This suggests that a particular place of employment had a one in 50 chance of being inspected during FY 1991; or viewed another way, that not until the year 2042 will all of them have been inspected once.

"Sweeping" for Child Labor Violations

In recent years, the Department of Labor has pioneered a series of "sweeps" to identify violators and to create a public awareness of child labor problems. The first sweep was engineered by Secretary Dole in 1990 and was targeted at a number of industries. The child labor sweeps found violations at two of every five businesses investigated and played a major role in the nearly doubling of violations from 1989 to 1990 (see Table 4-4 below).

TABLE 4-4
Detected child labor violations by type

Fiscal Year	Hazardous Order Violations	Hours Violations	Minimum Age Violations	Total
1983	3,679	4,962	1,038	9,679
1984	3,821	3,750	812	8,383
1985	4,181	5,088	1,032	10,301
1986	4,725	7,937	1,193	13,855
1987	8,710	11,174	1,479	21,363
1988	7,946	11,953	1,616	21,515
1989	6,767	15,344	1,986	24,097
1990	8,506	30,220	3,970	42,696

Source: U.S. Department of Labor

There have been a couple of dramatic increases in child labor violations in the past decade especially between 1986-87 and 1989-90. In almost every category, there has been a dramatic increase in violations found by the Wage and Hour Division — especially in the years 1988-1990 (See Table 4-4).

Partly as a result of public pressure, in 1990 Congress increased child labor penalties by ten-fold as part of a revenue-raising measure. There was a substantial reduction in the following year, 1991. This year, the Wage and Hour Division had its second series of national sweeps. Secretary of Labor Lynn Martin reported that her "nationwide strike force" had found more than 5,000 minors working in violation of Federal laws.[5]

The 1992 sweep received substantially less publicity. The Wage and Hour Division's efforts did not include 11 states: Arizona, Delaware, Hawaii, Kentucky, Mississippi, Montana, Nevada, New Hampshire, South Carolina, Utah, or Wyoming. The vast majority of the 11 states, according to an analysis presented in the next chapter of this report, have weak child labor programs. The Department was not able to provide an explanation why the 11 were left off the list. It is possible that the 11 states were passed over because of inadequate investigation resources. Nevertheless, the poor record of many of the states that were passed over suggests that the Wage and Hour Division should consider ways to improve targeting programs.

While the Department of Labor is proposing more penalties, the assessments and funds collected hardly reflect the ten-fold increase in penalties that Congress has authorized. As we can see in Table 4-5, there was a dramatic increase —which has since slowed— between 1986 and 1990 in the number of minors found working illegally, and in the amount of child labor penalties that have been assessed. It should be emphasized that Table 4-5 reflects only the amount of penalties that have been assessed.

TABLE 4-5
Number of minors found illegally employed and assessed civil penalties

Fiscal Year	Minors Found Illegally Employed	Assessed Penalties	Amount Per Minor
1983	9,008	$ 834,000	$ 92.58
1984	8,877	$ 1,088,619	$122.63
1985	9,836	$ 1,021,603	$103,86
1986	12,622	$ 1,492,195	$118.22
1987	19,077	$ 1,525,864	$ 79.98
1988	20,854	$ 2,139,820	$104.62
1989	22,508	$ 2,768,755	$123.01
1990	39,790	$ 8,451,268	$212.40
1991	27,655	$12,722,341	$460.04

Source: Compiled by the National Safe Workplace Institute based upon data provided by the U.S. Department of Labor

Deals for Violators?

The Department of Labor actually collects only a fraction of what it assesses in penalties. It is unreasonable to compare what is assessed and what is collected because assessments and collections do not occur in the same fiscal year.

TABLE 4-6
Information on penalties actual collected

Fiscal Year	Child Labor Penalties Collected
1983	$ 769,000
1984	$ 732,000
1985	$ 808,000
1986	$1,182,000
1987	$1,343,000
1988	$1,523,000
1989	$1,564,000
1990	$5,130,000
1991	$8,284,000
1992*	$5,697,578

*Through June 30, 1992.

Note: Information provided by the U.S. Department of Labor.

The White House has asked the Department to increase the maximum amount of time that 14- and 15-year-olds can work from 18 to 20 hours per week.

The Department of Labor must to resist efforts to reduce collections. Such reductions raise questions about the Department's consistency in pursuing violators. As we can see in Table 4-6, Department officials have given congressional investigators a number of reasons for penalty reductions.

TABLE 4-7
Most frequent reasons for adjusting penalty assessments in contested cases, GAO Survey, FY 1991

Reason	Percent of adjusted cases
Promise of future compliance	63%
First violation	59%
Gravity of violation	51%
Size of business	34%
Evidence in file does not support penalty	30%
Financial hardship	20%

Note: Categories total more than 100 percent because district directors or regional administrators could adjust penalties for more than one reason.

Source: U.S. General Accounting Office, 1991 Child Labor: Information on Federal Enforcement Efforts (GAO/HRD-92-127FS)

Relaxing the Rules?

Unfortunately, the Department's enforcement punch is not matched by its search for more effective rules to protect working children.[6] Bowing to pressure from the fast-food and grocery industries, the White House has asked the Department to increase the maximum amount of time that 14- and 15-year-olds can work from 18 to 20 hours per week. In addition, the proposal would allow 14- and 15-year-olds to work until 8 p.m. on the night before a school day. According to documents received by the National Safe Workplace Institute from sources inside the Department, the proposal is due to be cleared by the Office of Management and Budget by October 16 and published in the Federal Register, where proposed rule changes are to appear by October 28. That would be days before the election and would mean that a rule change could take place before a new President took office.

Unfortunately, some officials within the Department of Labor are too willing to accommodate industry —especially fast food—interests. On April 23, 1992, a national news story reported that restaurant managers in the Burger King Corporation were warned on the company's telephone hotline to hide some employee wage and hour records during a Labor Department crackdown.[7]

According to affidavits filed in Federal court, two Burger King human-resources managers warned restaurant managers over Burger King's voice-mail system to take internal records, in the words of one manager, "out of the restaurant until the labor sweep blows over." The affidavits were filed in conjunction with a Department of Labor lawsuit designed to bring Burger King into compliance with Federal child labor laws. There are no indications of how Burger King knew of any crackdown. Under Federal occupational safety and health laws, providing advance notice of inspections is a criminal offense, punishable by prison sentences. Not so in child labor law.

The Role of Congress

The Wage and Hour Division has been severely criticized by both Congress and its watchdog, the U.S. General Accounting Office. Congress plays an important role in child labor, a role that is often unappreciated by the public. For example, Congress has the Constitutional power to appropriate funds and, as such, can provide funds and directives to improve compliance and related programs. In general terms, Congress has done little to increase the Wage and Hour Division's budget. Indeed, in correspondence with the Institute, current Assistant Secretary Cari M. Dominquez claimed that "for the last five fiscal years (FYs 1988-92), under the leadership of Secretaries Dole and Martin, the Administration has asked for more than $9 million above what was actually appropriated, an average of about $1.86 million per year . . ." The Department acknowledges that government-wide spending reductions have also effected the amount of funds available to the Department.

Perhaps the most important action that Congress has taken is to hold oversight hearings. The most extensive hearings have been held by Congressman Tom Lantos (Dem., California), who chairs an influential House of Representatives Government Operations Committee oversight committee. Many observers believe that Lantos' Subcommittee has pressured the Department of Labor to intensify its actions to protect working children. There can be no question that such hearings have created enormous awareness that otherwise would not exist. In addition to hearings, the General Accounting Office, a Congressional watchdog, has conducted a number of reviews of Wage and Hour Division programs. GAO's most recent findings are provided in Table 4-8 on the following page.

TABLE 4-8

General Accounting Office criticisms of the Wage & Hour Division

- Lacks formal written policy about publicizing the names of child labor violators
- Lacks formal written policy to target any child labor investigations to previous violators. (Of 11 District offices visited by GAO, only three had conducted some follow-up investigations on a regular basis each year.)
- Has inconsistent procedures for using a state government's Work Permits as a basis for conducting investigations.
- Wage and Hour Division lacks a national investigation database (WHMIS) that can identify, on an individual case basis, information on repeat violators, penalty collections, etc.
- Department of Labor is under-detecting illegal child labor in all industries, but especially in agriculture. In 1991, the Wage and Hour Division found just 264 children working in agriculture.

Source: U.S. General Accounting Office (1992)
Child Labor: Information on Federal Enforcement Efforts (GAO/HRD-92-127FS)

Conclusion

The Department of Labor faces a difficult task in adequately ensuring compliance with Federal child labor laws. The Department has insufficient resources to appropriately conduct its mission and Congress, which has the power of the purse, has failed to provide it with funds to carry out this neglected mission. The failure of both branches of government to address this situation clearly plays into the hands of those employers who would—and do—engage in abusive employment practices.

Several members of Congress, notably Senators Christopher Dodd (Dem., Connecticut) and Howard Metzenbaum (Dem., Ohio), along with Congressmen Donald Pease (Dem., Ohio) and Tom Lantos (Dem., California) have introduced legislation to greatly change the Fair Labor Standards Act. The proposed changes are provided, in matrix form, in Appendix III of this report.

This legislation, which has been blocked by Republican Senators and the fast-food lobby in the U.S. House of Representatives, warrants intensive national scrutiny. At a minimum, Federal law must place requirements on how much student-workers can work during a school week as well as setting limits on when work should cease the night before a school day. The debate on such proposals is long overdue.

Notes:

1. Basic Information of Workplace Safety & Health in the United States, 1992 Edition (Chicago: National Safe Workplace Institute), p. 17. This report indicated that there are six fish and game inspectors for every one occupational safety and health inspector. There are 2,000 Federal and state occupational safety and health inspectors in the U.S.

2. See news reports covering domestic issues of May 28, 1992.

3. From a Memorandum for Edith Holiday and Roger Porter (then of the White House staff) by Elizabeth H. Dole (then Secretary of Labor) dated July 24, 1990. This document was provided to National Safe Workplace Institute (NSWI) on a confidential basis.

4. Memorandum and background information prepared for the National Safe Workplace Institute by the Wage & Hour Division, U.S. Department of Labor, dated August 27, 1992.

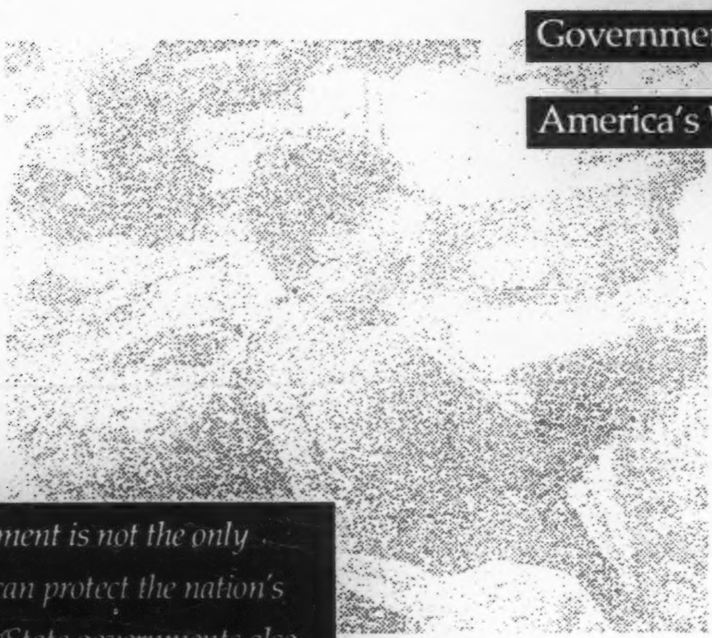
5. See Department of Labor Press Release, USDL: 92-342, Thursday, June 4, 1992, DEPARTMENT OF LABOR'S STRIKE FORCE SHOWS CHILD LABOR VIOLATIONS STILL WIDESPREAD.

6. Document marked "confidential" concerning "Proposed changes in permissible hours and time standards for 14- and 15-year-olds." This document was provided to NSWI on a confidential basis.

7. F. Swoboda (1992), "Burger King Tried to Hide Records, U.S. Says," The Washington Post, April 23, 1992.

Chapter 5: Beyond Neglect

The Failure of State Government to Protect America's Working Children



The Federal government is not the only government that can protect the nation's working children. State governments also have the ability and authority to protect children from abusive employment practices.

But most states have, at best, a very mixed record in protecting their children from abusive employment practices. Other states are weak—failures by almost any measure—while four states—Colorado, Kansas, Maryland, and Mississippi—have essentially abdicated their responsibility to the Federal government.

The failure of the states to rally to the defense of working children has been tolerated by an uninformed public. In political bodies, working children lack advocates because they do not vote and are not organized. Those who employ children —fast-food restaurants and small businesses— have an enormous impact on child labor policy-making and enforcement in the U.S. In this chapter, we will examine the performance of the 50 states and we will explore, in some detail, how lobbyists have—or currently are—working to weaken programs in a number of states.

Where states (such as Wisconsin) have come to see child labor as an "education" issue, progress can be made in developing a sensible strategy and approach. In states where child labor is seen as a regulatory issue, policies and programs have been far weaker. State governments must see

State governments must see that child labor as an education issue and realize that sensible child labor programs are critical to protecting society's investment in education.

child labor as an education issue and realize that sensible child labor programs are critical to protecting society's investment in education. Until we as a society understand that German and Japanese children are at home studying while American kids are flipping hamburgers, we will not be providing a large percentage of our children with a reasonable opportunity to suceed as students of higher mathematics, science, and foreign language —courses that require regular study and homework.

Evaluating State Performance

For several months, the National Safe Workplace Institute has systematically evaluated the performance of state government on child labor issues. By presenting the results of this state evaluation, policymakers, opinion leaders, and citizens can see what choices they have and what other states are doing.

Like the Federal government, the states have child labor laws and enforcement responsibilities. A proper analysis of state performance must include an examination of both laws and capacity available to properly address child labor and youth-employment issues. After a thorough review, the Institute concluded that states should be measured in the following areas: Work Permit Issues, Hours Restrictions, Work Load, Health and Hours Protections, and Compliance Capacity. Table 5-1 below provides the results of this analysis and exercise. In other tables provided in this chapter, the reader can obtain more detailed information regarding how each state was evaluated and scored for each of these categories.

Table 5-1
State performance on key child labor programs and policies

State	Work Permits	Health & Hours Protections	Compliance Capacity	Extra Credit	Total/ Rank
Alabama	—	15	15	—	30/13
Alaska	15	—	15	—	30/13
Arizona	—	—	15	—	15/31
Arkansas	5	-5	5	—	10/38
California	25	15	20	—	60/3
Colorado			(No program.)		—/47
Connecticut	—	15	10	—	25/23
Delaware	15	—	15	—	30/13
Florida	—	20	20	—	40/6
Georgia	15	—	15	—	30/13
Hawaii	15	10	5	—	30/13
Idaho	—	—	5	—	5/43
Illinois	5	—	30	5	40/6
Indiana	15	15	15	5	50/4

Iowa[1]	5	—	3	5	13/37
Kansas			(No program.)		—/47
Kentucky	—	5	25	—	30/13
Louisiana	15	—	15	—	30/13
Maine	5	—	20	5	30/13
Maryland			(No program.)		—/47
Mass.	5	10	10	—	25/23
Michigan	15	—	10	—	25/23
Minnesota	—	—	15	—	15/31
Mississippi			(No program.)		—/47
Missouri	15	—	5	—	20/27
Montana	—	—	10	—	10/38
Nebraska	5	(-5)	5	5	10/38
Nevada	5	—	5	—	10/38
New Hamp.	15	—	20	5	40/6
New Jersey	15	5	25	—	45/5
New Mex.	5	—	10	—	15/31
New York	15	15	30	5	65/2
No. Carol.	15	—	20	5	40/6
No. Dakota	5	—	5	5	15/31
Ohio	15	—	10	—	25/23
Oklahoma	15	—	10	5	30/13
Oregon	15	—	15	5	35/11
Penn.	15	20	5	—	40/6
Rh. Island	5	5	10	—	20/27
S. Carolina	—	—	15	5	20/27
S. Dakota	—	(-10)	15	—	5/43
Tennessee	—	15	5	—	20/27
Texas	—	(-10)	10	5	5/43
Utah	—	—	—	—	0/46
Vermont	—	—	10	—	10/38
Virginia	5	10	15	5	35/11
Wash.	10	—	15	5	30/13
West Virg.	5	10	—	—	15/31
Wisconsin	25	20	25	5	75/1
Wyoming	5	—	10	—	15/31

Note: 1. Iowa was given credit for having a half-time child labor specialist.

- Utah was the only state with a child labor program to receive a zero rating. Four states were awarded "—" because they do not have a program.
- For information about scoring, see the tables in the remainder of this chapter. This table has been compiled by the National Safe Workplace Institute based upon a review of state child labor statutes and collateral materials produced by states, and on surveys and interviews with state officials.

What These Rankings Really Mean

As the reader will learn by reviewing this chapter, even the "best programs" have serious deficiencies. Therefore, these rankings should not be interpreted as a "seal of approval," even for states with relatively high rankings. However, by studying and reporting on the types of programs and policies that states undertake, the reader can begin to appreciate the range of programs and capacities that have been developed.

Another way of examining the performance of states is to consider their rank by group with editorial comment. This information is provided below.

- **States with scores of 50 or above:**
  75–Wisconsin , 65–New York, 60–California, and 50– Indiana.
  Grades: Wisconsin receives an A-, New York a B+, California a B , and Indiana a B-.

- **States with scores in the 40s:**
  45-New Jersey, 40–Florida, Illinois, New Hampshire, North Carolina, and Pennsylvania.
  Grades: New Jersey receives a C+, Florida, Illinois, New Hampshire and North Carolina receive a C-.

- **States with scores in the 30s:**
  35–Oregon and Virginia, 30-Alabama, Alaska, Delaware, Georgia, Hawaii, Kentucky, Lousiana, Maine, Oklahoma, Washington.
  Grades: These states receive a D.

- **States with scores in the 20s:**
  25-Connecticut, Massachusetts, Michigan and Ohio, 20-Missouri, Rhode Island, South Carolina and Tennesse.
  Grades: These states receive a D-.

- **States with scores 10-15:**
  15–Arizona, Minnesota, New Mexico, North Dakota, West Virginia, and Wyoming. 13–Iowa. 10–Arkansas, Montana, Nebraska, Nevada, and Vermont.
  Grades: These states receive an F.

- **States with scores of 0-5:**
  5–Idaho, South Dakota, and Texas. 0–Utah
  Grades: These states receive an F.

- **States without a child labor program:**
  Colorado, Kansas, Maryland, and Mississippi.
  Grades: These states receive a 0 for lack of effort.

. . .

> *But work permits can also be used in a more meaningful way. For example, if a student-worker begins to perform poorly in school, then the work permit should be rescinded.*

Work Permits: A Key to Effective Programs

The foundation of effective state policy lies in the handling of work permits. Work permits function largely as a "license" to permit young people to work. Typically, permits are issued by the schools and copies are kept on file by state labor regulators. In many ways, work permits provide the ideal tool to target inspections. But work permits can also be used in a more meaningful way. For example, if a student-worker begins to perform poorly in school, then the work permit should be rescinded. This strategy will only be effective when permits are extended to 16- and 17-year-olds and educational administrators begin to appreciate the potential of the permits in leveraging academic performance.

TABLE 5-2
20 states require work permits until the age of 18

Alabama
Alaska
California
Delaware
Georgia
Hawaii
Indiana
Louisiana
Maryland
Michigan
Missouri
New Hampshire
New Jersey
New York
North Carolina
Ohio
Oklahoma
Oregon
Pennsylvania
Wisconsin

Note: Each state that extended Work Permit coverage until age 18 was awarded 15 points.

Still 14 other states have extended Work Permits to cover 14- and 15-year-olds. That means that 16 states have no Work Permit coverage for working children, and that enforcement officials have no way to identify where children are working. Of course, neither labor regulators nor educators then have real leverage in addressing abusive employment practices or in linking excessive or abusive work with poor educational performance. A list of the states that require Work Permits for 14- and 15-year-olds can be found in Table 5-3 below.

TABLE 5-3
States that require work permits for 14- and 15-year-olds

- Arkansas
- Illinois
- Iowa
- Kansas
- Maine
- Massachusetts
- Nebraska
- Nevada
- New Mexico
- North Dakota
- Rhode Island
- Virginia
- West Virginia
- Wyoming

Note: Each state that extended Work Permit coverage for 14- and 15-year-olds was awarded five points.

A small number of state leaders are beginning to appreciate the leverage that Work Permits provide both regulators and educators. A comprehensive Work Permit policy allows officials to know which children are working and, in some cases, where the child is employed. A small number of states are beginning to seriously address the linkage between permits and educational performance. On the other hand, other states such as Texas, have employment certificates that really do not serve the functions of Work Permits. Still other states have taken unusual steps to make the Work Permit a more meaningful tool. Such steps include imposing a fee in order to obtain a work permit, and requiring employers to obtain permits to employ young people. Information on these states is shown in Table 5-4 below.

TABLE 5-4
States with unique work-permit programs

- Wisconsin requires a $5 Work Permit fee.
- California and Washington are the only states where employers are required to have permits in order to employ adolescents.

Notes:
1. Each state with a unique Work Permit program was awarded ten points.
2. The Institute tried to develop accurate information on states that link the right to a permit to attendance or educational performance but was unable to do so.

Revoking Permits for Educational Performance

Officials who issue work permits should be informed on child labor laws. Students who apply for work permits should be provided with high-quality materials on regulations. Across the country, schools issue work permits with little if any inquiry into whether the job is hazardous or illegal. There is a growing trend for states to reserve the right to revoke, as well as to restrict, work permits. As of January 1990, New Hampshire high school principals may revoke work permits if a student is in serious academic trouble. Other states allow schools to revoke the work permits of habitual truants.

Schools are best suited to the role of educating students and parents—and perhaps even employers—about child labor laws and issues relating to the safe and productive employment of high school students. Currently, most schools only relay information on child labor laws in the form of state labor department handouts when a student applies for a work certificate. In some states, however, schools are being asked to play a larger role in protecting students from unsafe work experiences.

In New Hampshire, labor department officials have been giving speeches in high schools on child labor laws and students' rights as workers. In New York officials are considering implementing a program that would require students seeking work certificates to complete a week-long class on child labor laws and other labor legislation. In New York, all students under 18 must obtain a work permit to be employed outside the school. The proposed one-week course curriculum, "The Working Teenager," may soon be taught as part of an Introduction to Occupations course required of all New York high school students in the occupational-education sequence.

To utilize expertise and outside resources, schools could work with labor department officials and community leaders in developing and carrying out educational programs on child labor laws and workers' rights and responsibilities.

Health and Hours Restrictions

Federal law establishes what hazardous tasks young people can undertake and sets strict limits on the amount of hours that children 14- and 15-years-old can be employed.

Table 5-5
States with no restrictions for working in hazardous occupations

- Arkansas
- Nebraska
- South Dakota
- Texas

Note: Each of these states was penalized ten points.

Several decades ago, the American labor movement fought for a 40-hour work week, which has become standard. In fact, the vast majority of workers now work fewer than 40 hours each week and some experts are predicting that a 35-hour work week will become standard during the 1990s.

America's working children do not have it so easy. The average adolescent goes to school an average of 32.5 hours per week, according to Federal statistics. Yet only five states impose maximum work weeks of 30 hours or less for 16- and 17-year-olds. This means that young people who work the maximum permissible in these states are working and going to school for about 62.5 hours each week —not counting commuting time. The states that impose "caps" on 16- and 17-year-olds' working hours is provided in Table 5-6.

TABLE 5-6

States with maximum work weeks —during the school year— of 30 hours (or less) for 16- and 17-year-olds

California
Florida
New York
Pennsylvania
Wisconsin

Note: States that "cap" work weeks for 16- and 17-year-olds were awarded 15 points.

By comparison, Federal law limits 14- and 15-year-olds to working just 18 hours a week. The Federal government does not place hours restrictions on 16- and 17-year-olds. Ideally, state governments should cap the maximum number of hours that children can be employed each week as well as placing curfews on working the night before a school day.

Daily restrictions

Federal law requires that 14- and 15- year-olds cease working before 7 p.m. Most states, have no daily limits for 16- and 17-year-olds, meaning that they can work without limits into the evening. Table 5-7 presents information on states that limit how late working children can be employed into the evening and what states limit how early children can work in the morning.

Table 5-7

States with work hour restrictions on mornings before school and evenings preceding school (until 10 p.m.), for 16- & 17-year-olds

States (five) with both morning and evening restrictions:
Alabama, California, Connecticut, Indiana, and Tennessee.

States (nine) with morning restrictions (on morning of a school day):
Arkansas, Florida, Kentucky, Massachusetts, Michigan, New Jersey, Pennsylvania, Rhode Island, and Wisconsin.

Note:
1. States that impose restrictions on 16- and 17-year-olds for both morning (day of) and evenings (night preceding school) were awarded 15 points.
2. States that impose restrictions on mornings of a school day were awarded five points.

Compliance Capacity

The toughest laws are meaningless unless there is a capacity to enforce them and a willingness to impose substantial fines if laws are broken. Table 5-8 provides information on the numbers of child labor inspectors by state, including child labor specialists. The reader should understand that, in many states, inspectors enforce more than one law. Indeed, some inspectors spend very little time on child labor concerns.

Table 5-8
Child labor inspectors* and specialists, by state

State	Inspectors	Specialists
New York	152	-
Georgia	100	2
California	74	-
Texas	34	-
New Jersey	25	-
Kentucky	23	-
West Virginia	23	-
Ohio	20	-
Louisiana	18	-
Michigan	17	-
Oregon	17	-
Washington	17	-
North Carolina	16	16
Alaska	14	-
Hawaii	14	-
Florida	13	-
Illinois	13	-
South Carolina	12	-
Virginia	11	-
South Dakota	10	-
New Hampshire	8	-
Minnesota	7	7
Tennessee	7	-
Wisconsin	7	-
Montana	6	-

Rhode Island	6	-
Wyoming	6	-
Arizona	5	1
Maine	5	-
Nebraska	5	-
Connecticut	4	4
Nevada	4	-
Arkansas	3	-
Indiana	3	3
Alabama	2	2
North Dakota	2	-
Vermont	2	-
Delaware	1	1
Missouri	1	1
New Mexico	1	1
Oklahoma	1	1
Utah	1	-
Iowa	0.5	0.5
Kansas	-	-
Maryland	-	-
Colorado	-	-
Mississippi	-	-

**Information was not available for the number of inspectors from either Massachusetts or from Pennsylvania.*

Note:

1. As of July 1, 1992.
2. In many states, inspectors are charged with enforcing more than just child labor laws. The numbers and complexities of the laws vary widely from state to state.

Scoring:

States with ten or more inspectors were awarded ten points.
States with three to nine inspectors were awarded five points.
States with "specialists" were awarded five points.

Inspection capacity means very little unless it results in compliance. One measure of compliance can be found in authority to impose penalties and, more importantly, penalties actually collected. The amount of penalties that states can impose —as well as the amount actually collected by states—varies widely from state to state.

The amount of fines collected ranges considerably. Only a small number of states actually collect fines. This information is provided in Table 5-9; the authority to impose fine levels is presented in Table 5-10.

TABLE 5-9
States that collected fines in recent years

States that have collected at least $20,000 during a recent fiscal year:
Illinois ($178,698), New Hampshire ($238,167), New York ($148,584), Virginia ($24,513), and Wisconsin ($86,940).

States that have collected more than $2,000 but less than $20,000 during a recent fiscal year:
Arizona ($12,969), Kentucky ($17,150), Maine ($2,200), and Oregon ($11,500).

Note:
Not all states could provide this information. In some cases, fines may have been collected by local governments.
Scoring:
Each state that collected more than $15,000 in fines was awarded 15 points;
the remaining states with fines were award ten points.

TABLE 5-10
State child labor penalty authority*

States with the authority to impose fines of up to $10,000:
Delaware, Michigan, and Vermont.

States with the authority to impose fines of up to $5,000:
California, Illinois, and Wisconsin.

States with the authority to impose fines of up to $2,500:
Florida and Maine.

States with the authority to impose fines of up to $1,000:
Alabama
Arizona
Arkansas
Hawaii
Kentucky
New Hampshire
New Jersey
New York
Oregon
Virginia
Washington

States with the authority to impose fines of up to $500 (or less):
Alaska, Colorado, Idaho ($250), Louisiana, Minnesota, Montana, New Mexico ($300), North Dakota, North Carolina ($250), Massachusetts ($200), Oklahoma, Rhode Island, and Texas.

States with the authority to impose fines of up to $100:
Connecticut, Indiana, Iowa, Mississippi, Nebraska, South Dakota, and Wyoming.

States with no penalty authority:
Georgia, Kansas, Maryland, Missouri, Nevada, Ohio, Pennsylvania, Tennessee, Utah, and West Virginia.

**For a first time offense.*

Note:
South Carolina can impose fines of up to $50 but it does not collect penalties.

Scoring:
States with the authority to impose penalties for more than $1,000 were awarded ten points.
States with the authority to impose penalties of $1,000 or less were awarded ten points.

Innovative State Programs

A number of states have instituted innovative programs to address child labor problems and issues. In order to understand the scope of state activities, it is important to understand such initiatives. The initiatives identified in our research are highlighted in Table 5-11 below. Many of these approaches are aimed at generating increased public appreciation and understanding of the problem, and to deter violators from abusive practices.

TABLE 5-11
Innovative state initiatives

State	Initiative
Illinois	*"Stings" (Child labor sweeps, night inspections)*
Indiana	*Separate Bureau of Child Labor*
Maine	*"Stings" (Child labor sweeps, night inspections)*
Nebraska	*News releases of Federal and state child labor laws*
New Hampshire	*Education seminars/workshops*
New York	*News releases, garment district sweeps*
North Carolina	*Child labor seminars, child labor task force, news releases*
North Dakota	*Child labor seminars*
Oregon	*"Child Labor Task Force, School-First Program"*
South Carolina	*"Stings" (Special Inspections)*
Washington	*Child Labor Task Force and Reform Initiative*
Wisconsin	*Extra penalties for violations and injuries to minors*

Scoring:
Each state with a special initiative was awarded five points.

Injury Reporting

In the minds of many experts, injury reporting to regulatory authorities is one of the most crucial ways to identify potential hazards. If a pattern of injuries can be established, then inspections and enforcement may result in problems being properly and adequately addressed. There are many deficiencies in state child labor laws. In our review of state performance, it was evident that the vast majority of regulatory officials receive little, if any, injury data. In most states, injuries are reported to workers' compensation insurance authorities, if they are reported at all.

At the national level, Burger King —a company sued for non-compliance by the Federal government more than any other company— has given a multiyear contract to the National Child Labor Committee (NCLC), a group historically identified with reform efforts.

According to a report by the General Accounting Office, half of the states use lost work days or lost work time as the criterion for reporting.[1] The other half supposedly use more stringent criteria, such as injuries requiring medical treatment. Such an approach is necessary because most working children do not have consistent schedules and, as a result, do not experience lost time in the same fashion as adults. Furthermore, injury reporting does little good unless it comes to enforcement agencies that can use such information to prevent injuries. Until comprehensive and timely injury reporting is required by physicians and hospitals who treat such injuries, the systems will do little to prevent injuries.

At Risk? Industry Efforts to Kill State Programs

Industry groups spend substantial sums on lobbying and public relations, two important and critical techniques in fighting reform. Lobbyists from the fast-food, retail-merchant, and grocery industries are fighting to maintain maximum access to low-priced labor. Often, industries represented by these lobbyists say one thing in public and another in private. At the state level, lobbyists are able to pour special interest and public affairs contributions into the coffers of state officials and representatives. In many states, their spending is exceeded only by the liquor and tobacco lobbies, while their image, profligated by advertising, is warm and friendly, engendering wide public support.

The fast-food lobby's newest tactic is to co-opt the opposition or likely opposition. The fast-food lobby is now influencing parent-teacher associations in a number of states. At the national level, Burger King —a company sued for non-compliance by the Federal government more than any other company— has given a multiyear contract to the National Child Labor Committee (NCLC), a group historically identified with reform efforts.[2] Since receiving these contracts, the NCLC has argued to journalists and others that it does not think that the fast-food industry is necessarily bad for young people.

Industry groups are working as this report is being written to kill existing or proposed reforms in Illinois, Wisconsin, and Washington.[3] Already, industry lobbyists have worked behind the scenes to abolish the Maryland Child Labor Program, which was considered one of the best in the nation.[4] Some of arguments used by industry officials are presented in Table 5-12. Because the public has not been properly informed on child labor issues, industry groups have been able to work with some success.

TABLE 5-12
Industry arguments against child labor programs

Industry Argument: *Child labor is an issue for parents and their children, not for government or the schools.*

Reply: Many working children come from families that depend upon the income of children to displace parental income. In some cases, parents have not been able to focus on the issue, nor do they understand the potential adverse effects of working. Also, the public investment in education, health, etc., of the young is substantial and needs to be protected.

Industry Argument: *Let the Federal government do it. The state has better things to spend money on than bureaucrats.*

Reply: State programs and policies are important. Currently, just 93 Federal investigators cover the entire U.S. It is evident that the Federal government is simply not doing the job and must, in the short run, be complemented by strong state programs.

Industry Argument: *Restrictions on work will encourage kids to leave school.*

Reply: Responsible employers should refuse to hire kids who drop out of school unless there are extenuating circumstances. Too often work has been a magnet for young people who experience problems at school or at home. By taking a "no drop-out" hire pledge, industry can reverse the magnet effect and begin to make school more of a positive factor in the lives of young people.

Industry Argument: *Work is good for adolescents.*

Reply: Yes, work can teach young people discipline and other important skills. But work, especially poorly structured work, also represents both physical and mental health risks.

Industry Argument: *Children have always worked.*

Reply: Yes, and that is part of the problem. Too many adults assume that work will have the same value from generation to generation. Unfortunately, many jobs that kids have today are essentially brainless. For example, most fast-food places no longer have numbers on cash-register keys. Moreover, there is very little mentoring. In fact, most kids are supervised by other kids. Finally, adult work opportunities are simply not the same for children who barely finish school or drop out. The days are gone when a kid can find a high-paying job in a steel mill or auto plant.

Compiled by the National Safe Workplace Institute.

Illinois: An Example of Stalled Child Labor Reform

Even the most modest reforms are resisted by skillful and experienced business lobbyists who often have the clout of governors and influential state legislators behind them. In Illinois, lobbyists have masterfully defeated —barring a last-second reversal—a comprehensive overhaul even though on two occasions reform seemed almost certain.

The reform effort was triggered in 1991 when reform groups successfully persuaded one body of the Illinois General Assembly, only to see the effort stalled in the Senate. Reform was sidetracked when restaurant-industry lobbyists sent hundreds of fast-food managers to Springfield, the state capital, to argue that an overhaul would reduce hours that children could work, enticing many to leave school. Legislators, especially those inclined to support business interests, found that argument persuasive.

Reformers, who had been confident of victory, were suddenly faced with watered-down legislation or the prospect of defeat. Rather than face such a risk, a compromise was fashioned that resulted in the issue being referred to the General Assembly's Council on Children. The Council is a body that had been established several years ago to resolve legislative conflicts on such issues.

The Council on Children seemed to be a reasonable venue for reform to occur. A wide range of witnesses provided testimony at several public hearings. The Council's task force decided that restrictions would be placed on the number of hours that 16- and 17-year-olds could work: For 16-year-olds, 27 hours per week, for 17-year-olds, 29 hours. It also decided that a Work Permit fee would be established and that the State of Illinois and the schools would split the proceeds. A vote was taken and members of the task force concluded that its work was done.

But the Council's mission was not yet complete. Advocates —parents, teachers, educators, public officials, and others — found their efforts successfully resisted by powerful but subtle fast-food industry lobbyists. Within a few days, the task force was scheduled for an additional session for one purpose: to delete hours restrictions on both 16- and 17-year-olds. The fast-food lobby, which could not persuade the Council of the merits of its position suddenly turned to the smoke-filled-room-approach for access and political power.

Stuck with an extra and unwanted session, reformers insisted that industry lobbyists show their true colors. Reformers insisted that industry task force members—McDonald's and the Illinois Retail Merchants Association (which has substantial McDonald's financial support)— explain why restrictions had to be eliminated from the legislative package. At the session, industry lobbyists said that they would not accept any caps —even 50 hours per week!— for 16- and 17-year-olds.

For reformers, the deletion was a hard pill to swallow. But a Work Permit fee seemed worth the price. Industry groups, though, were not finished. This time, they turned to the Illinois Department of Labor. The Department, which did not oppose Work Permit reforms during any of the sessions, suddenly reversed its position on the Work Permit fee at a hearing of the Assembly's Labor Committee. The Department's director, an industry ally, argued that a fee would be a burden on working children. The General Assembly, eager to please industry lobbyists, quickly concurred, and accepted the Department's newly arrived-at position. In effect, lobbyists killed meaningful reforms.

True reform does not come easy. Industry lobbyists will ardently oppose any effort that will reduce the supply of labor, especially working children. By skillfully manipulating the system to its advantage, reform was killed in Illinois.

What Do Working Children Know?

Surveys have indicated that students are woefully ignorant of the laws restricting their work participation and are even less cognizant of their general working rights, such as compensation for workplace injury and illness.

Table 5-13 below shows that a quarter of the teenagers surveyed by the New York Labor Department reported that they did not have their legal rights explained to them. More than half (56%) of the 1,106 respondents said they had participated in prohibited work activities or experienced a child-labor violation at work. In another study, based on surveys of 500 students in a suburban Albany high school, one out of three students reported that working adversely affected his or her school performance.

TABLE 5-13

Students' self-reported child labor violations, New York State Department of Labor survey, 1988

Type of violation	Percent of teens reporting violation
Legal rights not explained	25%
Asked to work off the books	22%
Worked after midnight	20%
Excessive hours (14-17 year-olds)	14%
No working papers (employment certificates)	13%
Used a prohibited machine	11%
Injured on the job	9%
Worked in a prohibited job	5%
Total Respondents:	**1,106**

Source: "Children in the Workforce: Setting Our Priorities," report from Thomas F. Hartnett, New York State Commissioner of Labor

Survey researchers have also shown that students sometimes arrange their school life around their work life. In a Wisconsin study, 44 percent of working juniors and seniors claimed that employment was a "moderately" or "very important" source of interference with getting good grades. In addition, 44 percent of working juniors and seniors surveyed said that taking only the minimum number of courses required was a strategy of some importance in balancing work and school, while 41 percent admitted to taking easier classes. The study concluded that teachers, confronted with years of working students refusing to perform at expected levels, have reduced their demands, thus accommodating the "dumbing down" of the school population.[5]

Pilot programs to monitor the grades and attendance of working students should be conducted to determine if schools can intervene effectively to reduce job-related problems that result in academic difficulties. Schools should also conduct surveys of students to determine the extent of the problem in their institution. They should also consider requiring students to notify the school when they accept a part-time job.

Much more information is needed about the work habits, attitudes, and educational performance of student-workers. If schools can target students who may be suffering as a result of work and develop strategies to protect the educational investment in youth, work can be made an experience that complements the educational process—instead of competing with it.

Notes:

1. U.S. General Accounting Office (1992), Child Labor: Work Permit and Death and Injury Reporting Systems in Selected States. GAO/HRD-92-44FS, p. 11.

2. Letter dated August 26, 1992, from Jeffrey F. Newman, National Child Labor Committee to Joseph A. Kinney, National Safe Workplace Institute.

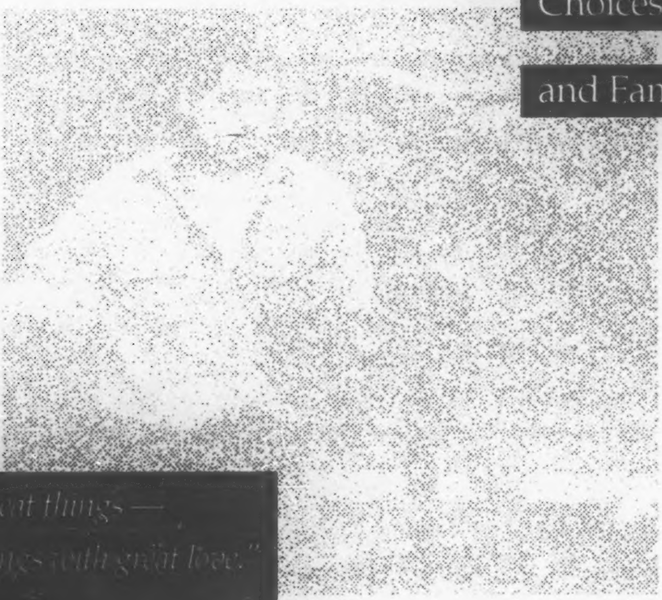
3. See, for example, the August 17, 1992, The New York Times, page A12 and the August 10, The Milwaukee Journal, p. 1.

4. National Safe Workplace Institute (1990), Sacrificed for Convenience: Illinois Student-Workers at Risk. NSWI/December, 1990, pps. 45-54.

5. National Safe Workplace Institute (1990), Sacrificed for Convenience: Illinois Student-Workers at Risk. NSWI/December, 1990, p. 18.

Chapter 6: **Empowering Individuals**

Providing Informed Choices for Children and Families



> *"We can do no great things —*
> *only small things with great love."*
>
> Mother Teresa

There are limits to government. While government can act to deter violators, meaningful change will come only when children and parents have and make informed choices. Parents simply have not been provided with meaningful information on the adverse effects of work. In this chapter, we hope to provide parents and children such information so that they take sensible steps to ensure that jobs are safe and complement the educational process. In a sense, this chapter is designed to be a working guide for parents and children on how to cope with and make the best of job opportunities.[1]

Before children accept employment, they and their parents should understand what should be done about problems that may occur. First, children and their parents should read and understand Federal and state child labor laws. Information about these laws should be posted in all establishments that employ young people. A copy of these laws is also available through state and Federal labor department offices. These laws govern the hours that can be worked, and the type of jobs that young people can have. Know these laws, and make them work for you! In addition to reading and knowing these laws, consider the following questions and answers:

A 1991 government study shows that young people working in the fast-food industry have a much higher likelihood of being injured than workers in many other industries.

Question: How old must I be before I work?

Answer: In most cases, you must be at least 14 to have a job. Some exceptions are newspaper-delivery and farm-work jobs.

Question: How many hours should I work?

Answer: That depends on how much time you are in school. If you are in school full-time, five days a week, we advise that you limit work to a maximum 20 hours a week (or 18 hours a week if you are under 16). If you are in school less than full-time, then you may be able to work more. If you work too much, however, your health and grades may suffer.

Question: How late should I work?

Answer: Never work past 10 p.m. on a night before school. Unfortunately, many laws are unclear on this issue. However, problems do arise when teenagers work too late .

Teenagers who have not reached their 16th birthday cannot work past 7 p.m. or before 7 a.m. during the school year.

Question: Will my job be dangerous?

Answer: Nowadays, far more teenagers are likely to work in a fast-food outlet than at any other job. A 1991 government study shows that young people working in the fast-food industry have a much higher likelihood of being injured than workers in many other industries. The types of injuries include burns, cuts, scrapes, and falls. Some teenagers have been killed in fast-food outlets from electric shock, natural gas explosions, and from injuries suffered in armed robberies.

Federal law prohibits teenagers under 18 from working in occupations that the Secretary of Labor has declared to be particularly hazardous. Jobs such as operating motor vehicles, mining, logging, meat-packing, demolition, roofing, excavation, etc., are strictly off-limits.

Question: What should I do if I am injured?

Answer: First, you should get immediate medical attention. Second, the costs associated with __any__ job-related injury are your employer's responsibility. Your employer should have workers' compensation insurance to pay for any medical costs. If you lose pay because of your injury, you may be entitled to a workers' compensation payment.

Massachusetts study shows that teenagers who work more than 20 hours a week will see their grades decline.

Question: Will a job hurt my grades?

Answer: Work can be a positive experience and teach values, discipline, and money management. However, a Massachusetts study shows that teenagers who work more than 20 hours a week will see their grades decline. Also, in order to work, many teenagers will take less difficult subjects rather than the mathematics and science courses that can help them get better jobs as adults. Don't forget the reality: teenagers in Japan and Europe do not work. While a German or Japanese teenager is home studying calculus and chemistry, a U.S. teenager is likely to be working in a fast-food restaurant.

Model Agreement

To create maximum impact on the overall educational experience of teenaged student-workers, the National Safe Workplace Institute has developed the Employer/Student-Worker Agreement (ESWA) and the Skill Maximization Program (SMP). ESWA (see below) is a non-binding contract that students can negotiate with their employers to define the parameters of their work. SMP is designed to develop an understanding between schools and employers to maximize the educational benefits of the work experience.

Any workplace provides opportunities for young people to learn important job skills. Unfortunately, exposure to many skills-quality control, cash management, problem-solving and human relations isn't provided to many adolescents. In fact, the opposite is true in the fast-food industry, where job tasks are highly routinized and specialized at a cost to learning that otherwise might occur.

Student-workers who are trained to be aware of the responsibility and importance of handling a cash register, dealing with customers and co-workers in a confident and polite manner, etc., will not only gain valuable work skills but will also take increased pride in what otherwise might be mundane tasks. With increased awareness and importance placed on specific tasks, the student-worker will be a more dedicated and responsible employee.

The Employer/Student-Worker Agreement has the following basic objectives:

- Encouraging students to maintain academic excellence.
- Encouraging students to stay in school.
- Developing an understanding of the relationship between work and education.
- Enhancing career opportunities after graduation.

(Note: This agreement is designed to be executed between an employer and student-worker.)

Employer/Student-Worker Agreement

EMPLOYER'S PLEDGE TO STUDENTS

- I will not employ students who have dropped out of high school.
- I will immediately terminate the employment of any student-worker who drops out of school after being in my employ.
- I will train managers and supervisors to be responsive to the educational and health needs of student-workers.
- I will monitor the academic achievement of my student-workers. I will fulfill this pledge by:

  Reviewing each student-worker's grades upon completion of each term.

  Rewarding good grades with monetary incentives including:

  1. For each A, a student-worker will be given a bonus of $_____.
  2. For each B, a student-worker will be given a bonus of $_____.
  3. For perfect school attendance, a student-worker will be given a bonus of $_____.

- I pledge to encourage improved academic achievement of my student employees. I will fulfill this pledge by:

  Ensuring that student-workers are not scheduled to work the evening prior to an examination.

  That academic improvement of ______ during a term will be rewarded by a bonus of $_____.

  That participation in ___________ (an extracurricular activity) will be rewarded by a bonus of $______.

- I pledge to properly train student-workers to any and all potential hazards that may occur on the job. I will fulfill my pledge by:

  Posting the "Knowledge is Power" poster in the employee work areas;

  Distributing the "Knowledge is Power" brochure along with an employee application.

  Ensuring that student-workers are trained in safety and health issues, child-labor laws, and other policies designed to protect their welfare.

Employer/Student-Worker Agreement

STUDENT-WORKER'S PLEDGE TO EMPLOYERS

- I pledge to inform my employer of a school exam at least one week prior to the examination.
- I pledge to share exam grades and report cards with my employer.
- I pledge to discuss concerns I have regarding my safety and health on the job with my employer/manager or supervisor.
- I pledge to immediately inform my employer if I am worried about a job hazard.
- I pledge to develop and maintain a positive attitude toward my work. I will fulfill this pledge by:

  Reducing my hours at work if I am tired or unwell.

  Ensuring that my work does not jeopardize my education.

  Communicating openly with my employer/supervisor regarding areas of mutual concern.

Agreed to and Signed by:

Student-Worker	Employer/Manager

Parent (to acknowledge)

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* These materials were designed to inform student-workers about the possible risks of employment and can be obtained from NSWI.

Skills Maximization Program

Schools have an important opportunity to work with youth employers to ensure effective and meaningful learning opportunities. The Institute has devised the Skills Maximization Program (SMP) agreement to help educators and employers understand what can and should be done.

The employer who uses SMP will benefit from employee commitment to the long-term improvement of the business as workers find that their personal contributions have a significant impact on daily business. Student-workers benefit by acquiring on-the-job training that improves their chances for employment in competitive markets after high-school graduation.

Student-workers benefit by acquiring on-the-job training that improves their chances for employment in competitive markets after high-school graduation.

SMP is loosely based on a concept pioneered by Little Caesar's Pizza, a Detroit-based chain. The program is designed to expose student-workers to all aspects of its business activities, such as cash management (not simply operating a cash register), inventory control (why it is important to use consistent quantities), quality control, customer satisfaction, and employee scheduling. These activities do not require the employer to increase expenditures, yet they produce employees who understand why they are doing their task and how it will carry over to future jobs.

The SMP agreement combined with the Employer/Student-Worker Agreement creates a foundation for an effective empowerment strategy.

(Note: This agreement is designed to be executed between a school and an employer.)

Skill Maximization Program Agreement

As an employer of young people, I have both the opportunity and obligation to ensure that my employees' talents and skills are fully developed. Because I am dedicated to young people, I agree to participate in the Skill Maximization Program as outlined below. I understand that the goal of this program is to create a work environment that complements the learning process by utilizing the inherent aspects of the workplace to produce young people who are better equipped to enter our nation's work force.

As an employer, I will provide:

1. A comprehensive orientation on all aspects of the company's operations.

2. Managers and supervisors who share the view that school must come first in the lives of young people.

3. Training policies that will incorporate both a sense of opportunity and responsibility in the student-worker. Student-workers must have the opportunity to excel on the job and the responsibility to conduct themselves in an appropriate fashion.

4. Regular intervals in which student-workers can ask questions or seek direction in meeting new challenges.

5. An atmosphere in which student-workers develop their skills in communications and problem-solving.

6. A willingness to cooperate with schools in order to ensure that our work environment is meeting appropriate challenges.

Signed: __________ (for the school) ____________(employer)

Understanding the Importance of Empowered Individuals

There is no question that government has neglected its responsibilities in the child labor arena. Citizens have every right to be outraged at the incredible neglect that exists. Every parent, child, educator, and leader has the opportunity to make a difference. To be effective as individuals, we must understand the following tenets:

1. Any strategy that places emphasis on compliance alone is likely to have limited effectiveness. There is almost no possibility in the near term to organize a persuasive constituency to ensure that adequate child labor compliance capacity is developed, given the crushing social policy burdens and demands on time that exist today. Rather, we must strive for a balanced approach that results in better policing of extreme employers while empowering young people and their parents.

2. Parents and schools are not aware of the problems associated with such violations, or with the short- and long-term tradeoffs of part-time work versus education and work force preparation. Parents do not think of these problems because of force of habit or because of the acute economic pressures that they feel.

3. Employment opportunities for student-workers generally do not contribute to long-term skill development or educational attainment. On the contrary, employment, especially in the fast-food industry, is likely to harm the educational process.

4. The fast-food industry provides many unrealized opportunities for effective contextual learning. Such opportunities can be seized and maximized to the benefit of the education process and be a "win-win" for all concerned parties.

The Responsibility of Parents and Educators

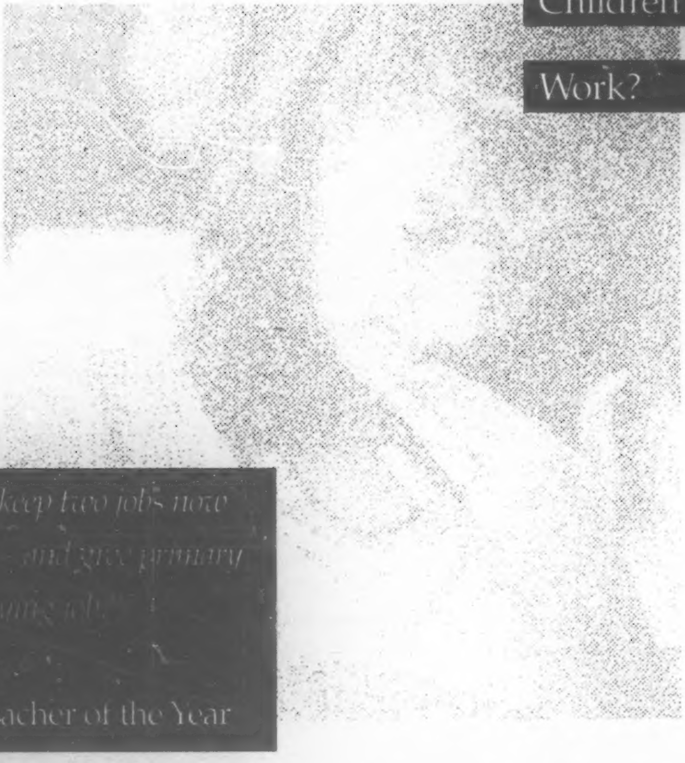
Parents and educators cannot assume that employers will meet legal or moral responsibilities to their teenage employees. Read and understand the laws that govern work for teenagers. Don't stop with the laws: monitor the educational performance and health of your sons and daughters who work. If their grades drop, if they switch to easier subjects, or suffer unexplained illness or fatigue, the job may be the problem. Protect the young —they are the future!

Notes:

1. The National Safe Workplace Institute has provided a poster and flyer designed to empower children and parents to properly and adequately address child labor issues. For a copy of the flyer, "Knowledge is Power," send a self-addressed, stamped envelope to the Institute.

Chapter 7: At A Crossroads

Should Children Work?



> *"Too many students keep two jobs now – school and work – and give primary emphasis to the paying job."*
>
> Mary Bicouvaris
>
> 1989 National Teacher of the Year

There are a number of conclusions that can and should be made based on a thoughtful review of the role of work in the lives of our nation's children. Neither the Federal nor state governments have been effective or comprehensive in addressing child labor problems. Society's views on child labor are antiquated and inappropriate for the 1990s and beyond.

In early June 1992, Secretary of Labor Lynn Martin announced the results of a two-week strike force focusing primarily on smaller towns and especially retail stores, restaurants, recreational facilities, garment contractors and construction companies. In announcing that the Department had found more than 1,300 businesses in violation, Secretary Martin said:

One of the key features that distinguishes the U.S. from other advanced industrialized nations is our tolerance of child labor.

"Work can be an important element of learning for today's youth. But equally important is reaching a balance that encourages work experience while allowing ample time for education," Secretary Martin said. She continued: "As we near the 21st century, an educated and well-trained work force will be instrumental to our nation's economic competitiveness and our children's future."(Emphasis added.)

Work at What Price?

Secretary Martin is correct to suggest that work can and does impose real costs that will effect the future of our nation. The U.S. is now in a competitive crisis. Yes, our exports have grown because of a weak dollar. But the future is bleak. Competition in Europe and Japan is out-positioning America in most of the critical export growth markets.

One of the key features that distinguishes the U.S. from other advanced industrialized nations is our tolerance of child labor. In fact, the U.S., the United Kingdom and Italy are alone in the industrialized world in widespread use of child labor. Excessive work is incompatible with school—especially math, science, and foreign languages—and our continued abusive youth-labor practices are like a dagger at the heart of our economic future.

In many ways, the argument can be made that children should not work. The argument can and should be made that our children should be afforded the same opportunities for education and adolescent enrichment as young people in Europe and Japan. However, to put an end to youth labor now would be disruptive to millions of families who are experiencing economic hardship. In the interim, the goal of public policy must be to find a way to strike a balance in the lives of young people.

Interim Reform Goals

To this point, we have discussed our perception of the problem, ideas to change the situation, and other reforms that are important to bring about the changes that are desirable. We need improved government performance, educational reforms, government reorganization, changed labor-market patterns, and educational programs. The primary goals should be to:

1. Strengthen Federal and state government effectiveness and responsiveness to child labor and to child occupational-injury issues;

2. Increase awareness among target populations (students, parents, educators, and the employers of student-workers) of specific strategies for enhancing the role of work in the lives of teenagers; and

3. Develop curricula and educational materials designed to prepare young people for their lives as adult workers.

First, states should immediately reform current child labor laws. Second, they should examine how best to reorganize child labor within the context of educational policies and programs.

Federal-State Governments

Government at all levels should be examining ways to develop more effective and responsive child labor laws. Government can also provide leadership and modest resources (by instituting and sharing Work Permit fees) to encourage local initiatives through conferences, workshops, seminars, newsletters, and other information vehicles.

Federal legislation. The Congress has been considering legislation (see Appendix III) to reform child labor laws, legislation that has been effectively bottled up by a determined industry lobby. To this point, the Administration has not proposed a meaningful alternative. It is time that the Secretaries of Education and Health and Human Services acknowledge that child labor reform is as much a part of their responsibility as it is that of the Labor Secretary. The President should appoint a task force of these Cabinet officers to review America's child labor patterns in light of future employment requirements and to arrive at a reform program.

We also need what can be called a "Youth Employment Empowerment Act." Such legislation should include a small grants program which would help local groups to address child labor/youth employment empowerment issues. Also, this legislation should require that the Departments of Labor, Education, and Health and Human Services coordinate research, policy development, and programs on the role of work in the lives of teenagers.

Reforming State Government

There are two important goals for state government. First, states should immediately reform current child labor laws. Second, they should examine how best to reorganize child labor within the context of educational policies and programs. Reform objectives:

WORK PERMITS

Every state should have a work or employment permit system to cover adolescents until they reach the age of 18 or leave school. A permit policy should help regulators identify where children work and help schools monitor the performance and attendance of working children.

It is imperative that schools and parents be able to revoke a permit. Likewise, states should examine the possibility of requiring employers who hire children to carry such a permit.

Finally, permits should be "portable" and reissued when a child changes a place of employment.

It is imperative that schools and parents be able to revoke a permit. Likewise, states should examine the possibility of requiring employers who hire children to carry such a permit.

HOURS RESTRICTIONS
During the school year, working children below the age of 16 should be limited to 15 hours per week, with a 7 p.m. school-night curfew. For 16- and 17-year-olds, there should be a 20-hour limit per week, with a 8 p.m. curfew on the nights before school.

Exceptions could be made on the basis of economic need and academic performance. In a model procedure, the Department of Education could make exceptions based on consultations with parents, educators, and other appropriate authorities.

INJURY REPORTING
All injuries requiring medical treatment should be reported immediately to a state agency that has the legal authority to investigate and control work hazards.

COMPLIANCE
States need the legal and moral authority to cease abusive work practices. They can achieve it by providing for significant penalties and for the authority to gain the immediate abatement of a dangerous or excessive work practice.

The ability to penalize abusive employers to bring them into compliance is also crucial.

REORGANIZATION
Reorganization of state government is important over the long run. Indiana, for example, has established a Department of Workforce Development. This new agency addresses the specific goal of program development to ensure that young people are properly prepared for adult employment. State governments make enormous investments in educational funding and in training (vocational education and community colleges). However, these programs often work at cross purposes to the need of meeting future work force requirements.

In addition, schools should refuse to grant work permits to students with poor educational performance. Students should be required to meet specific criteria (e.g., grades, attendance) before a permit is issued. Exceptions could be made for students whose jobs are a financial necessity.

MODEL STATE LEGISLATION
The National Consumers League, which has led the fight to reform Federal and state child labor laws, has recently completed a process of drafting a model state child labor law. Key provisions of the model law are provided in Table 7-1.

TABLE 7-1
Model state child labor law

Major provisions of the model state child labor law:

1. Significantly revises and updates the list of Hazardous Occupation Orders (occupations, machines, and work sites that are prohibited for minors under 18).

2. Provides equal protection under the law for migrant and seasonal farmworker children by setting a minimum age of 14 for employment, and by prohibiting minors from dangerous agricultural occupations and substances.

3. Establishes a linkage between educational fulfillment and continuation of work.

4. Reasonably restricts employment for all minors under 18.

5. Requires work permits as a means to monitor employment and facilitate investigations.

6. Acknowledges the vulnerability and inexperience of working minors through requiring labor education prior to employment so that minors learn the laws protecting them in the workplace.

7. Provides enhanced enforcement provisions and specific enforcement financing.

8. Establishes stiff penalties for child labor law violators.

Prepared by the National Consumers League, Washington, D.C.
at the request of the National Safe Workplace Institute

Schools

Curriculum Reform. One of the best methods for educating students on issues surrounding work and school responsibilities may be the adoption of a mandatory curriculum aimed at 12- and 13-year-old students. By instituting a curriculum on workers' rights and responsibilities, schools could do more than merely dole out information on child labor laws.

Such curricula could be expanded to include a wider discussion of the connection between the workplace and skills taught in school, including information on skills required for the fastest-growing and best-paying jobs of the 21st century. The class could also include information on balancing work and school responsibilities, job-hunting skills, and finding career-oriented work opportunities such as internships and community volunteer work.

By educating students as young as 12 and 13 to make informed decisions about work, schools can do much to protect the public's educational investment as well as to encourage students to consider long-term work and school options. Aiming this curricula at junior-high and middle-school students would help students select high-school courses of study, as well as empower them to make decisions before their high-school work and study patterns become set.

School-Community Relationships

In addition to educating youth in schools, educators could work with community leaders, including employers, to conduct a community-based educational campaign to educate parents and employers, as well as students, on child labor laws and the need for students to balance work and school responsibilities. School principals could meet with local employers to discuss community concerns about scheduling young workers on late night shifts.

Many people, including educators, believe that the issue of child labor is a matter for parents, and not educators. However, many educators concede that neither parents nor students are generally aware of the child labor laws or give much consideration to the toll that working long hours can take on school performance. Counselors say that parents often move to remedy the situation, however, when a student is failing one or more classes and a heavy work schedule is implicated as a factor. For some student-workers, such intervention may come too late.

Reform for American Cities

Our approach for large cities must be built upon an appreciation of the following realities:

- While there is a shortage of student-worker labor in suburban communities and in middle- and upper-middle-class neighborhoods, there is a surplus of labor in poor neighborhoods.
- The employer community (our focus is primarily on the service-sector, the largest employer of student-workers) has different labor market needs and goals. As a result, the employer-community will resist legislation and regulations that may constrict the supply of teenage labor, especially in suburban communities. Suburban employers typically pay $1.25 more per hour than urban student-worker employers because of a scarcity of workers.

Goal 1. *Increase job opportunities for minority youth. Job opportunities should be linked to academic performance and career counseling.*

Problem: Fast-food restaurants in the suburbs pay more per hour than than those in the city due to the law of supply and demand. While many white suburban kids are working long hours, urban young people, the majority of whom are Latino and African-American, are denied opportunities to work at all. Indeed, most urban fast-food operations will not hire young people under 18 (because of a labor surplus in cities), while suburban establishments often hire kids under 14 (because of labor shortage).

Answer: Move young job-seekers from the city to the suburbs through van pooling or other innovative transportation arrangements. Alternate methods such as public transportation vouchers are far less attractive. Public transportation is considered unsafe, especially for young women who would have to endure long commutes.

Discussion: An effort should be made with minority and urban-based community organizations to create what could be called the "Youth Job Opportunities Program." Suburban employers would be encouraged to support a van pooling system. By expanding the supply of student-workers to suburban employers, we can provide job opportunities for urban youth and reduce the substantial demands that are often placed upon suburban student-workers.

This initiative should reduce many problems associated with inner city life: crime, drug use, vandalism, gangs, etc. But to meet broader goals, any effort to provide jobs to urban youth should be linked to the academic performance and development needs of the individual student-worker.

Goal 2. *Use jobs as an incentive to make progress in school.*

Problem: Unfortunately, many teenage student-workers will sacrifice school for work. In fact, many young people drop out of school for the lure of fast-food bucks.

Answers:

a. Persuade employers of student-workers to take a "no drop-out" hire pledge.

If employers, especially in the service industry, refuse to hire drop outs, then kids will have an added inducement to complete their education. The key is to persuade large employers, churches, school leaders, etc., to get behind such an initiative.

The pledge could be waived in special circumstances (for example, —an economic crisis). The pledge should not punish either employers or teenagers. The pledge is designed to encourage employers to think about the long-term interest of both society and the student-worker while reducing jobs as a magnet for teens to leave school.

b. Encourage employers to monitor grades, attendance, etc., and to reward student-workers who do well.

The model Employer/Student-Worker Agreement, for use by schools, parents, and student-workers (see Chapter 6), will result in jobs emerging as an incentive for better academic performance.

Goal 3. *Contextual learning in the fast-food industry.*

Workplace learning has become a priority in preparing the future work force. The fast-food industry and service sector must be challenged to re-think the current work experience to make job tasks more conducive to skill-building and future job requirements.

Legitimate contextual learning must include an honest and comprehensive look at the dynamics of the employer-employee relationship.

Goal 4. *Develop a work force literacy curriculum.*

Young people need to know about work, our labor laws, and their responsibilities to employers if the U.S. is to develop the kind of cooperative employer-employee strategies that are crucial to the future of the nation. In recent years, much attention has been given to "computer literacy" and other skill-building phenomena in order to strengthen the employability of young people. We are penny-wise and pound-foolish as a community and as a nation to view work force literacy in narrow, skilled-based terms.

Children should not only know the child labor and safety laws that will protect them during their career, but should also receive instruction in the meaning of work, the history of work, and the way that work should bring creativity and meaning to their adult lives. Americans should look upon the workplace as an arena in which to become full citizens in the new world economy. Students could learn this material through films, texts, and role playing, among other techniques.

Goal 5. *Strengthen community outreach and employer education.*

We are optimistic that more is needed than just a "stick" approach to making youth employment empowerment a reality. We can develop a "carrot" by creating a Department of Labor consultation service that is geared to assisting employers comply with the law.

The model for this strategy is Section 7(c) of the Occupational Safety and Health Act of 1970, the Federal job health law. Under 7(c), a consultation program is established to help employers in high-hazard industries meet the burdens of the law. We need a consultation strategy that helps employers, especially small businesses, understand the requirements and goals of state law.

• • •

The National Safe Workplace Institute concluded that compliance strategies alone are insufficient to address the issue of work in the lives of young people. This judgment is based on the view that government has limited child labor enforcement resources and that meaningful expansion of those resources is unlikely in the near future. As a result, we must look to community involvement strategies to enable people to address the often serious and long-neglected underlying issues associated with employment practices of student-workers. One approach is empowerment: enabling others to resolve their problems without substantial reliance on external resources. By providing how-to information and materials to simplify various tasks, empowerment strategies can gain a large payoff in terms of the investment that is expended. Empowerment strategies must only supplement compliance strategies, which are critical in coping with abusive practices.

Empowerment of working children, their parents, and communities must be a crucial element in any realistic educational reform strategy that is dedicated to equipping young people for an increasingly competitive world. The thrust of policy must be to help young people find a balance in their lives, not to deny them job opportunities. To ignore these needs will risk our collective investment in education and jeopardize our nation's future. The schools must play a more constructive role in helping students cope with the burdens of work.

Philanthropic Community

Foundations have been important funders of educational reform. If education is to be meaningful and effective for adolescents, then foundations should pay attention to child labor and youth-employment policy issues. With a modest investment from the philanthropic community, community and public interest groups could play an important role in countering the positions of industry groups. We have lacked the informed debate and choice we need as a society, and without the involvement of foundations, meaningful debate and the prospect of change will be delayed. At a minimum, foundations should see such an effort as part of their educational agenda.

• • •

Current government regulation is anachronistic on child labor issues. We must reform government, understanding that child labor and work force preparedness should be connected whenever possible so that student-workers can maximize their knowledge of productive work habits and thought processes during part-time employment opportunities that come early in the teenage years.

Our ability to address child labor issues reflects on our national character and our willingness to invest in children. We are at a crossroads. The time has come for serious debate on the role of work in the lives of our children. Perhaps with this report, we hope that the debate that is so crucial to the future of our children and nation will have begun.

Appendices

APPENDIX I

The injury rate per 100 workers of 8.6 is an average given by the Bureau of Labor Statistics.

The number of children by age has been reported by the Bureau of Census for the 1990 Census.

The average minor workweek of 15 hours can be determined from the values given in Table 3-5 by averaging the average number of hours worked each week for 12 & 13-, 14-, 15-, 16- & 17-year-olds.

APPENDIX II

The following is a description of the formula used to determine the number of injuries for one age group and one industry group only. This process is then repeated for all other age and industry groups to determine the total values.

12 & 13 year olds:

Total number of injuries for eating and drinking places	=			357,200	=	A
Workfore percentage	=			3%	=	B
Number of child injuries	=	A * B	=	10,716	=	C
Avg. minor workweek (hours)	=			6	=	D
Avg. adult workweek (weeks)	=			40	=	E
Work week ratio	=	D / E	=	.15	=	F
Avg. minor workyear (weeks)	=			21	=	G
Avg. adult workyear (weeks)	=			52	=	H
Work year ratio	=	G / H	=	.404	=	I
Final number of injuries	=	C * F * I	=	649		

APPENDIX III

Matrix Comparing Existing Law with S. 600 and H.R. 2076

Note:

The legislation examined in this appendix expired in the 1992 session of Congress. To find out if similar legislation has been introduced, please contact the Education and Labor Committee, U.S. House of Representatives (phone 202/225-4527), or the Labor and Human Resources Committee, U.S. Senate (phone 202/224-5375).

Provisions	Current Law Farm *	Non-Farm
Age when all child labor law restrictions are lifted.	16	18
Minium age to work.	14	14
Exemptions to minimum age requirments.	Minors ages 12 and 13 may be employed if job is on same farm where parents are employed. Minors under age 12 may be employed with written consent of parent (or person standing in their place) on farm where none of the employees are entitled to the federal minimum wage. Minors ages 10 and 11 may be employed as hand harvestors if employer first obtains a waiver from DOL.	Minors of any age may deliver newspapers. Minors of any age may may engage in wreath-making at home. Minors of any age may engage in the performing arts.
Age covered by hazardous occupations regulations.	Under 16.	Under 18.
Age when work is limited to non-school hours.	Under 16.	Under 16.

S. 600 Farm**	Non-Farm	H.R. 2076 Farm **	Non-Farm
18	Retains current law for minors not working on farms.	18	Retains current law for minors not working on farms.
Retains current law.	Retains current law.	Retains current law.	Retains current law.
The 3 exemptions contained in the FLSA allowing minors under 14 to work as migrant or seasonal farmworkers are eliminated.	Retains current law.	The 3 exemptions contained in the FLSA allowing minors under 14 to work as migrant or seasonal farmworkers are expressly disallowed.	Retains current law.
Under 16.	Retains current law.	Under 18.	Retains current law.
Retains current law.	Retains current law.	Retains current law.	Retains current law.

Provisions	Current Law Farm *	Non-Farm
Age covered by hours restrictions on work before and after school.	No restrictions of this type on minors of any age working on farms.	Under 16.
Age when certificate of employment is required.	No federal provisions, varies from state to state.	No federal provisions, varies from state to state.
Age when parental consent is required to obtain certificate.	No federal provisions, varies from state to state.	No federal provisions, varies from state to state.
Civil fines for violations.	Up to $10,000.	Up to $10,000.
Civil penalties for violations.	No provision.	No provision.
Private right of action.	No provision.	No provision.

S. 600 Farm**	Non-Farm	H.R. 2076 Farm **	Non-Farm
Retains current law.	Retains current law.	Under 18.	Under 18.
Under 18 and does not have a high school diploma.	Under 18 and does not have a high school diploma.	Under 18 and does not have a high school diploma.	Under 18 and does not have a high school diploma.
Under 16.	Under 16.	Under 18.	Under 18.
Retains current law.	Retains current law.	Retains current law.	Retains current law.
Willful violators: • are ineligible for federal grants, contracts, and loans for 3 years after the date of the violation; • are ineligible to pay the training wage; and • will have their names distributed in school districts where they are located.	Willful violators: • are ineligible for federal grants, contracts, and loans for 3 years after the date of the violation; • are ineligible to pay the training wage; and • will have their names distributed in school districts where they are located.	Willful violators: • are ineligible for federal grants, contracts, and loans for 5 years after the date of the violation; • are ineligible to pay the training wage; and • will have their names distributed in school districts ere they are located.	Willful violators: • are ineligible for federal grants, contracts, and loans for 5 years after the date of the violation; • are ineligible to pay the training wage; and • will have their names distributed in school districts where they are located.
Retains current law.	Retains current law.	Creates a private right of action for child labor violations.	Creates a private right of action for child labor violations.

Provisions	Current Law Farm *	Non-Farm
Criminal fines for violations.	Up to $5,000 for individuals and up to $10,000 for corporations convicted of willful violations not resulting in death.	Up to $5,000 for individuals and up to $10,000 for corporations convicted of willful violations not resulting in death.
	Up to $250,000 for individuals and up to $500,000 for corporations convicted of willful violations resulting in death.	Up to $250,000 for individuals and up to $500,000 for corporations convicted of willful violations resulting in death.
Criminal penalties for violations.	Up to 6 months in jail for willful and repeated violations.	Up to 6 months in jail for willful and repeated violations.
Fair Labor Standards Act coverage.	Businesses with annual sales dollar amounts below $500,000 are exempt from coverage under the FLSA	Businesses with annual sales dollar amounts below $500,000 are exempt from coverage under the FLSA
	(including its child labor provisions).	(including its child labor provisions).

* This chart does not address current federal law governing minors employed by their parent or person standing in their place on a farm owned or operated by such a parent or person.

** Neither S. 600 nor H.R. 2076 contains any provisions affecting minors employed by their parent or person standing in their place on a farm owned or operated by such a parent or person.

S. 600 Farm**	Non-Farm	H.R. 2076 Farm **	Non-Farm
Retains current law.	Retains current law.	Up to $250,000 for individuals and up to $500,000 for corporations convicted of willful violations resulting in serious bodily injury to or death of child laborer.	Up to $250,000 for individuals and up to $500,000 for corporations convicted of willful violations resulting in serious bodily injury or death of child laborer.
Retains current law.	Retains current law.	Up to 5 years in jail for willful violations resulting in serious bodily injury. Up to 10 years in jail for willful violations resulting in death.	Up to 5 years in jail for willful violations resulting in serious bodily injury. Up to 10 years in jail for willful violations resulting in death.
Retains current law.	Retains current law. FLSA to all businesses.	New provisions applies the child labor sections of the FLSA to all businesses, regardless of the annual dollar volume of their sales.	New provisions applies the child labor sections of the FLSA to all businesses, regardless of the annual dollar volume of their sales.

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About the National Safe Workplace Institute

The National Safe Workplace Institute was founded in 1987 as an independent, not-for-profit research and education organization.

The Institute's publications are available for a nominal cost. Please contact the Institute for a publications list. The Institute is funded by foundation grants, publication sales, charitable contributions and by contracts.

Contributions are essential for the Institute's success and independence. Please give generously.

. . .

This report . . . is regarded by many specialists as the most comprehensive national survey of child labor programs in more than a decade.

The Los Angeles Times

Each year in the 1980's and 1990's several hundred U.S. children died and thousands were injured in their work —work that too often was performed under illegal and exploitative conditions. Until now, this toll has gone has largely unrecognized. NSWI is to be commended for its searching investigation of this profound social ill.

Philip J. Landrigan, M.D.
Mount Sinai School of Medicine, New York

The following words spring to my mind when I read this report: dedicated, persevering, compassionate, and informative. NSWI has supplied us with statistics, contacts and information, as well as very clear and concise ideas for solving problems and reaching goals.

Suzanne Boutros, Indianapolis, Founder and Co-Chair
People Against Dangerous Delivery

The Institute has become, in its brief history, the social conscience of the nation on job safety. With this work, it has achieved the same status on child labor.

William Serrin, Author
Former Labor Reporter, The New York Times

Citizens need to come to grips with the 1990's version of child labor and the avarice that drives the fast food industry to abusive practices. This report is a good starting point.

Ralph Nader
Consumer Advocate

Once again NSWI is making an important contribution to the solution of a major problem. We need reforms in law and in enforcement, but these changes will take an informed and aroused public.

Tom Lantos
U.S. Congress

Teachers, parents and community leaders need to pay far more attention to the role of work in the lives of our adolescents. This report helps us understand this neglected issue.

Cartha Tennille
Work Experience Education Teacher
Montclair, California

This report is extraordinarily effective in calling attention to the array of problems associated with the overworking of America's children. Parents, educators, employers, and young people themselves should pay close attention to the warnings issued in this important and timely book.

Laurence Steinberg, Ph.D.
Professor of Psychology, Temple University and co-author,
"When teenagers work: The psychological and social costs of adolescent employment"

This report provides an insightful examination of a problem that has not only resurfaced, but has dramatically escalated over the last decade much to our nation's shame. I applaud an effort that so thoroughly covers every facet of the child labor issue and concludes with the bottom line that we must do a better job to protect the health, education, and well-being of working children.

Linda F. Golodner, President,
National Consumers League